



Department of
Primary Industries

COMMERCIAL FISHERIES REFORM CONSULTATION PAPERS – SUMMARY OF SUBMISSIONS REPORT

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Commercial Fisheries Reform Consultation Papers
Summary of Submissions Report

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Executive Summary

The NSW Government is committed to securing a sustainable, viable and healthy fishery for NSW. In order to achieve this, the Government proposed a series of essential changes to the way fisheries resources are managed, through the NSW Commercial Fisheries Reform Program.

A primary aim of the Reform Program is to improve the long term viability of the industry through linking shares with some form of catch or fishing effort so that the shareholdings better reflect the level of access to fishery resources.

The following document is a summary of the submissions received during the eight week public consultation period, from April to May 2014. This report includes a range of general comments, issues and views identified by shareholders, industry participants, representative bodies and other stakeholders.

An extensive stakeholder consultation campaign was undertaken to discuss the proposed changes with commercial fishers. Following more than 14 port visits and direct contact with all 909 individual shareholders, 1314 submissions were received from commercial fishers, shareholders and community members.

Feedback from individuals and businesses across the State was welcomed and a number of complex issues and concerns regarding the reform were raised.

Whilst some of the submissions recognised and supported the need for reform within the commercial fisheries industry, a significant portion of submissions received from shareholders indicated they rejected all of the share linkage options or that they rejected the idea of a reform or the need for reform, either industry-wide or for a particular fishery.

Overall, 45% of shareholders across the various share classes that are subject to the proposed reform made a submission.

The NSW Government has developed a \$16 million structural adjustment package to provide for fishers to exit the industry and to help others set up their businesses for the future.

The summary of submissions including input from key stakeholder groups and advice from the Department of Primary Industries will be provided to the independent Structural Adjustment Review Committee (SARC). SARC will then prepare final recommendations for the consideration of the NSW Government.

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Acronyms

DPI	NSW Department of Primary Industries
DPT	Deepwater Prawn Trawl
EGF	Estuary General Fishery
EGC1H	Estuary General Category 1 Hauling
EGC2H	Estuary General Category 2 Hauling
EGET	Estuary General Eel Trapping
EGHG	Estuary General Hand Gathering
EGHHC	Estuary General Handline and Hauling Crew
EGM	Estuary General Meshing
EGMC	Estuary General Mud Crab
EGP	Estuary General Prawning
EGT	Estuary General Trapping
EPTF	Estuary Prawn Trawl Fisheries
CR	Clarence River
HAR	Hawkesbury River
HUR	Hunter River
FB	Fishing Business
FT	Demersal Fish Trap
GFN	Ocean Hauling – Garfish Net (Hauling)
GPN	Ocean Hauling – Hauling Net (General Purpose)
GVP	Gross Value of Production ¹
JKP	Juvenile King Prawn
LFB	Licensed Fishing Boat
ILM	Industry Liaison Manager
ISP	Inshore Prawn Trawl
ITCAL	Interim Total Commercial Access Level
ITQ	Individually Transferable Quota
IVR	Integrated Voice Response
NFT	Northern Fish Trawl Fishery
OH&S	Occupational Health & Safety
OHF	Ocean Hauling Fishery
OHG	Ocean Hauling – General Ocean Hauling
OSP	Offshore Prawn Trawl
OTLD	Ocean Trap and Line Demersal
OTF	Ocean Trawl Fishery
OTLF	Ocean Trap and Line Fishery
OTLLE	Ocean Trap and Line – Line Fishing Eastern Zone
OTLLW	Ocean Trap and Line – Line Fishing Western Zone
OTLSC	Ocean Trap and Line – Spanner Crab
OTLSCN	Ocean Trap and Line – Spanner Crab Northern Zone
OTLSCS	Ocean Trap and Line – Spanner Crab Southern Zone
OTLSGS	Ocean Trap and Line – School and Gummy Shark
PABN	Ocean Hauling – Pilchard Anchovy and Bait Net (Hauling)
PFA	Professional Fishermen's Association
RFH	Recreational Fishing Haven
SARC	Structural Adjustment Review Committee
SCN	Ocean Trap and Line – Spanner Crab Northern Zone
SCS	Ocean Trap and Line – Spanner Crab Southern Zone
TAC	Total Allowable Catch
TAE	Total Allowable Effort

¹ Estimated first point of sale only and calculated using Sydney Fish Market average prices.

1 Introduction

The seafood industry including aquaculture is an important part of the \$12 billion NSW primary industries sector, generating over half a billion dollars of economic activity each year and employing more than 4000 people.

In order to sustain long-term viability of this important industry, the NSW Government announced the most significant reforms to date, to occur within the commercial fishing industry in NSW.

The reforms were announced in response to the independent report into NSW Commercial Fisheries Policy, Management and Administration carried out in 2011/12.

The proposed reforms aim to:

- improve the long-term viability of the NSW commercial fishing industry;
- improve the strength and value of shareholders' access rights (i.e. shares); and
- provide shareholders with improved opportunities and flexibility to tailor their access.

The key components of the program involve linking shares in each of the five share management fisheries (excluding abalone and lobster) subject to reform, to either catch or fishing effort, setting appropriate total levels and adjusting some of the existing fishing controls which have hindered fishing efficiency in the past.

An extensive consultation campaign invited comments and feedback from commercial fishery shareholders and any other person or group interested in the future management of the fisheries resources in NSW.

The Department of Primary Industries exhibited a range of papers including a general information paper, a technical paper and fishery specific papers. These included options for linking commercial fishing shares in each fishery/share class group to either catch or fishing effort, proposed levels for the Interim Total Commercial Access Levels (ITCALs) and potential amendments to current management controls that had been put forward by shareholders.

The Summary of Submission report documents the feedback received during the public consultation period and will be used to inform the Government and the independent Structural Adjustment Review Committee (SARC).

1.1 Actions undertake since public exhibition period

Since the public exhibition period in April to May 2014, the NSW Government listened to the issues raised in the written submissions and other stakeholder discussions (such as the port visits held by NSW DPI staff – see Section 2) and made some initial announcements.

In particular, with regard to concerns raised by recreational fishers and other community groups, the Government announced that the ban on mesh netting in estuaries where it is not currently permitted will remain in place. That decision means there will not be any changes with respect to mesh netting in the following estuaries: Bournda Lagoon and Sandy Beach Creek; Merimbula Lake; Patonga Creek; Bonville and Pine Creeks; Newports and Boambee Creeks; Jerusalem Creek; Evans River; Mooball Creek; and Cudgen Creek. The Government also announced that there will be no increase in netting in Pittwater.

In response to concerns raised by commercial fishing industry stakeholders, the Government also announced more time for the independent SARC to:

- consider the large number and range of submissions received;

- commission an economic analysis, which will inform the SARC's consideration of share linkage options by;
 - estimating current and comparative (with other primary industries and fisheries) private return on investment for the following fisheries: Ocean Hauling, Ocean Trawl, Ocean Trap and Line, Estuary General and Estuary Prawn Trawl,
 - providing comment on whether and how share linkages would improve the financial viability of these fisheries,
 - assessing the value and current economic viability of the key share classes within these fisheries, and
 - reviewing and critically analysing the proposed approach to implement the exit grant and associated mechanisms.
- examine the cost/benefit of different options;
- tailor the options; and
- undertake further consultation with industry before finalising its recommendations.

This additional review and analysis is well underway and will guide the remainder of the reform program.

2 Consultation process

2.1 Share linkage working groups

NSW DPI established eleven industry-based share linkage working groups in 2013. The working groups assisted the Department to develop a shortlist of options for the linkage of shares to resource access. Membership of nine of the working groups was invited through an expression of interest process. For the smaller share classes – school and gummy shark and purse seine – all shareholders were invited to attend meetings. Working group agendas, outcomes and background papers are available on the NSW DPI website.

2.2 Commercial fisher involvement

All commercial fishers had opportunities to submit ideas for share linkage options and changes to the current management arrangements. As a result:

- many regulation streamlining proposals from the earlier “Pymont Pact”² process were also rolled over into the current options papers;
- some written suggestions were received in response to a March 2013 invitation sent to all commercial fishers; and
- ideas have been forthcoming through the share linkage working groups and in day-to-day discussions between fishers and fisheries managers.

2.3 Public exhibition and distribution of the options papers

The public exhibition period for the consultation papers ran for eight weeks (week of 7 April to 30 May 2014, Appendix 1).

All information was made publicly available on the NSW DPI website. Further, all relevant shareholders (909 individual addresses) were mailed the general information paper and the options papers and submission forms specific to the fisheries in which they owned shares.

During the public exhibition period Fisheries NSW staff visited fourteen ports, including: Tweed Heads, Ballina, Maclean, Coffs Harbour, Port Macquarie, Forster/Tuncurry, Newcastle, Hawkesbury, Sydney, Lake Illawarra, Batemans Bay, Ulladulla, Bermagui and Eden.

Approximately 540 commercial fishers attended port meetings. Of these 218 took the opportunity to discuss the options directly in face-to-face meetings with fisheries managers.

The Department’s Industry Liaison Manager (ILM) was also available for discussion and to help prepare written submissions for commercial fishers who sought such assistance. During the public exhibition period, the ILM fielded many enquiries from commercial fishers and other stakeholders (approximately 300 calls).

The opportunity for input was also publicised through:

- regular updates on the Commercial Fishing Reform webpage;
- letters to commercial fishers with the consultation papers;
- letters to key stakeholder groups including recreational fishing organisations, conservation groups and relevant Government agencies;
- follow up letters advising of the extension of the submission period;

² The Pymont Pact, developed in 2009, is a list of eight reform principles including reviewing fishing closures and streamlining regulations. Many regulation streamlining suggestions were identified by fishers at that time.

- updates in the Commercial Fisheries Newsletter – August 2013 & March 2014;
- a high level of regional media coverage; and
- articles placed in the NSW DPI Newscast Newsletter (electronic newsletter sent to recreational fishing licence holders) – March & May 2014.

NSW DPI also provided background information to support service providers such as the Rural Financial Counselling Service and NSW Health to assist their staff in understanding the reform program should commercial fishers seek their services. Rural Financial Counselling staff also attended the port visits and invited fishers to make appointments for a later date.

2.4 Submission forms

Fishery-specific submission forms were developed to assist commercial fishers in writing submissions specific to the share classes in which they held an interest. A public submission form was also developed that covered all fisheries and share classes.

Printed submission forms accompanied the options papers that were mailed to shareholders. These, along with the public submission form, were also made publicly available on NSW DPI's website.

Commercial fisher submission forms

The commercial fisher submission forms were designed to collect the following information:

1. the respondent's fishing business (FB) number;
2. the fishery and/or share class the respondent was commenting on; and
3. the respondent's level of satisfaction relating to each of the linkage options and proposed changes to existing restrictions, with the reasoning.

Some questions were also included in each submission forms where feedback was being sought on a specific issue. A general comments section was also included at the end of each of the fishery-specific forms.

Public submission forms (non-commercial fishers/participants)

The public submission form collected the respondents name, address (optional), post code, and their affiliation or area of interest by ticking either:

- Seafood consumer;
- Post-harvest sector;
- Recreational fisher;
- Aboriginal fisher;
- Conservation;
- Community member/resident;
- Government; and
- Other.

The form also included the standard questions as for the fishery-specific forms, but with all fisheries and share class identified. Respondents could circle which fishery they were commenting on, indicate their level of satisfaction and provide reasons. A general comments section was also included.

Respondents could also make submissions without using the submission forms, by either submitting an email to commfish.wg@dpi.nsw.gov.au, by fax or letter.

3 Receipt and processing of submissions

3.1 Data entry of submissions

All submissions received were stamped and dated as received. Each submission was scanned (if arriving by mail), registered in the Department's document and information management system, and then the information contained within the submission was entered into a database.

The majority of submissions responded directly to the specific options or proposed streamlining measure in the consultation papers using the submission forms, however a number of detailed submissions were received by mail that were in the form of a general letter.

A comprehensive validation of submissions was undertaken to identify duplicate submissions, and commercial fisher versus public (non-commercial) submissions when either no personal information was provided or information provided was very general. Appendix 2 details the validation process used for all submissions received, to ensure that they were processed and entered consistently.

Following a review of a sub-sample of submissions, a series of comment codes were generated relating to individual issues and views raised. All comments in each submission were assigned one or more codes, which were then entered into the database.

Individual comments in the submissions that related to specific options (providing new or varied options, support, criticism and/or reasons for the opinions provided) were all allocated codes. Comments were aggregated where they were deemed similar enough to comprise the same comment code. A complete list of codes was then generated covering all issues raised (Appendix 3).

For consistency in interpretation of comments and allocation of codes, all codes were discussed and any issues clarified before data entry was undertaken. Submissions for each fishery were allocated to an individual staff member who entered the data for the whole set of submissions. One coordinating staff member oversaw the process to ensure consistency in the application of codes between the submissions across the fisheries.

Codes were cross checked where the content of a submission covered multiple fisheries – i.e. a number of staff entered different components and then cross checked common components for consistent application of codes.

Data was entered capturing detail to the business, fishery and share class level where possible. Comments specific to linkage options were captured at the share class level. General comments were aggregated to the individual business level.

Summary statistics (counts of comments summed) were generated for each of the response types – i.e. specific responses to share linkage options, responses to proposals for streamlining current restrictions and general comments.

4 Results overview

4.1 Presentation of results

The results are summarised in the following sections:

- Summary statistics, including total number of submissions received, and a breakdown of the number of individuals and interest groups to lodge submissions;
- Support and opposition for each of the share linkage options presented in the fishery-specific consultation papers (shown in Tables and Figures), and reasoning/ justification provided for that support and opposition³;
- Suggestions put forward for alternative or modified linkage options along with any reasoning provided;
- Responses to the potential changes to existing management controls;
- Responses to potential changes to existing fishing closures; and
- General comments, issues and views.

Merit based comments (i.e. those that include a reasoning or justification) are summarised providing an indication of the supporting and opposing arguments given to the options presented, and any modifications or alternatives that have been put forward via submissions.

A summary of feedback from commercial fishers is presented first, followed by submissions from other industry representative bodies/participants, and views from the general public.

Where submissions provided suggestions relating to structural adjustment (e.g. focussing on the use or timing of exit grant funding) that were not specific to the options presented, these are included in the general comments section of this report (Section 6).

4.2 Submissions received

Total numbers

In total, 1,314 submissions were received during the public exhibition period. This included:

- 762 from commercial fishers, i.e. shareholders⁴ who own one or more commercial FBs and nominated fishers with commercial fishing licences;
- 13 from other industry representative bodies/participants (e.g. Professional Fishermen's Association and fishing cooperatives);
- 5 petitions/form letters signed by 548 individuals; and
- 534 individual submissions from those other than commercial fishers and industry representative bodies/participants.

Commercial fisher submissions

Of the 909 individual shareholders who own 1,067 FBs that have shares in one or more of the fisheries subject to the reform program, 408 shareholders (representing 464 FBs) made a submission, i.e. 45% of shareholders provided feedback.

³ Figures are provided throughout the report that indicate the number of individuals who provided similar reasons for support and opposition to options presented. These figures display the comment type, followed by the number of individuals who provided comments that fell into that grouping.

⁴ Note that Fishing Business owners often hold multiple share classes within a business, and sometimes multiple businesses. Therefore, multiple submissions have been submitted by some individuals.

In addition, 11 individual nominated fishers (i.e. fishers who do not own shares but were nominated at the time against another entity's FB), also made submissions.

A total of 762 submissions on the options papers across all of the fisheries were received from commercial fishers. This differs from the number of shareholders who lodged submissions because some have diverse shareholdings within and across fisheries and lodged multiple submission forms.

Table 1 details the total number of submissions received from commercial fishers (shareholders and nominated fishers) across the various share classes.

Table 1: Overview of submissions received relating to each of the options papers. Numbers based on data as at April 2014. The percentages represent the portion of shareholders (and FBs) who lodged a submission from those who owned shares.

Fishery – share class/es	Total number of shareholders	Total number of fishing businesses (FBs)	Number (and %) of submissions by commercial fishers	Number (and %) submissions received by individual FBs
Estuary General - Netting	481	546	181 (37%)	212 (39%)
Estuary General - Trapping	297	323	121 (36%)	138 (43%)
Estuary General - Hand gathering	73	88	29 (40%)	33 (38%)
Estuary Prawn Trawl	153	162	58 (37%)	61 (38%)
Ocean Trawl	184	203	76 (39%)	71 (39%)
Ocean Hauling - General netting	224	266	86 (36%)	105 (39%)
Ocean Hauling - Garfish	44	46	21 (45%)	20 (45%)
Ocean Hauling - Purse seine	15	15	6 (40%)	6 (40%)
Ocean Trap and Line (OTL)	317	346	149 (48%)	163 (47%)
OTL - Spanner crab	39	39	21 (44%)	17 (44%)
OTL - School and gummy shark	18	18	14 (78%)	14 (78%)
SUMMED TOTAL	N/A	N/A	762	840
RECTIFIED TOTAL (amalgamated numbers across fisheries/share classes with duplicates removed)	909	1,067	408 (45%) shareholders, 11 nominated fishers	464 (43%)

Public submissions

A total of 534 individual submissions were received from those other than commercial fishers and industry representative bodies/participants. Most of these were from community members/residents and recreational fishers/associations (Table 2). Respondents often indicated more than one affiliation.

In addition, five form letters/petitions (identical letters signed by individuals) were also received; these contained 548 individual signatures.

Table 2: Breakdown of the source of submissions received

Interest group	Number
Seafood consumer	76
Post-harvest sector e.g. wholesaler, restaurant owner, Co-op workers etc.	13
Recreational fishers/associations	214
Aboriginal fisher/ stakeholders	2
Conservation	29
Community member/resident	234
Government	5
Other (includes tourists, commercial aquaculture fishermen, local council etc.).	76
No indication	68

5 Commercial fisher responses to linkage options and other proposals

Fishery specific responses to linkage options:

- Estuary General
- Ocean Haul
- Estuary Prawn Trawl
- Ocean Hauling
- Ocean Trap and Line

This section contains the feedback from commercial fisher submissions (shareholders and nominated fishers) relating to the linkage options and the proposals to amend existing fishing restrictions. A separate sub-section is presented with comments made by commercial fishers (also referred to as respondents) specific to each fishery or share class grouping, consistent with the way share classes were grouped in the option papers.

General comments, such as those that focus on the reform process generally (e.g. use of the adjustment funding, consultation processes, social/lifestyle concerns, etc.) are included in Section 6 of this report.

General feedback from other industry representative bodies/participants, such as representative associations and fishing co-operatives, is also included in Section 6, unless comment was provided on the specific options presented, in which case those comments are included in the fishery specific information in this section (Section 5).

SNAPSHOT – Hand gathering component of Estuary General Fishery

- 73 shareholders
- 29 (40%) lodged submissions
- 24 (33%) commented on options

Options presented

Option 1: Managing endorsement numbers, through setting of a two-stage minimum shareholding to be complete by 1 July 2016.

Option 2: Catch quota for pipis, beachworms, cockles and nippers.

Option 3: Staged implementation of a catch quota regime - interim daily limits with a limit on total catch.

Responses in brief

Fourteen respondents (60% of those who commented on options) said all options were unworkable.

Option 3: was identified as most satisfactory or satisfactory by nine (38% of respondents).

Option 2: was also identified by seven (29% of respondents) as most satisfactory or satisfactory.

Option 1: was identified as least satisfactory by five (21% of respondents).

5.1 Estuary General Fishery – Hand gathering component

Three options were presented in the hand gathering component of the Estuary General Fishery (EGF) for comment.

A total of 30 submissions were received, with 29 (40%) of these from hand gathering shareholders (29/73 shareholders) which represented 38% of FBs that hold hand gathering shares (33/88).

One submission was from the Professional Fishermen's Association (PFA).

Table 3 details the number of submissions for each EGF region. Two shareholders commented on two regions, the rest commented on one each.

Table 3: Number of submissions received in the hand gathering share class

	Region						
Hand gathering	1	2	3	4	5	6	7
Number of submissions	8	3	7	6	1	3	3

5.1.1 Summary of support and opposition for the share linkage options

Of the 30 submissions, 24 included a response to the options presented for comment. Over half indicated that all options were unworkable (Table 4).

Of the respondents who indicated that one or more options were workable, the majority indicated that satisfactory or most satisfactory options were:

- Option 3 (staged implementation of catch quotas); identified as most satisfactory or satisfactory by nine respondents;
- Option 2 (pipi, beach worm, cockle and nipper catch quotas); identified by seven respondents as most satisfactory or satisfactory; and
- Option 1 (managing endorsement numbers); identified as least satisfactory by most.

Table 4: Summary of respondents' level of satisfaction with the linkage options presented

EGF - Hand gathering	Most satisfactory	Satisfactory	Least satisfactory	Unworkable	Total
Hand gathering (24 of 30 submissions provided comment on options)					
Option 1: Endorsement numbers (minimum shareholding)	1	1	5	14 (66%)	21
Option 2: Pipi, beachworm cockle and nipper catch quota	5	2	3	14 (58%)	24
Option 3: Staged implementation of a catch quota regime - interim daily limits with a limit on total catch	5	4	0	14 (60%)	23

5.1.2 Reasons linkage options were considered least satisfactory or unworkable

Fourteen respondents were opposed to the share linkage options presented, indicating that all were unworkable. Many did not provide specific reasons as to why the options were considered unworkable; comments focussed on the need for reform and other general issues and concerns. These broader comments are summarised in Section 6 of this report.

Specific reasons provided by respondents as to why options were considered unworkable included the sentiment that:

- Option 3 is unworkable, it's unfair to some regions if allocation is made state wide. My business would become unviable if I was allocated state-wide quota. There is a large

variation in regional allocations, a large percentage of catch of some species comes from a small number of regions, why should this be shared throughout the state?

- All options are unworkable, but if going to quota we need more.
- All options are unworkable, all the options will devalue my hand gathering shares, no one will invest in them. My business is currently worth so much (based on current value of catch), but under the proposed ITCALs the quota I'd end up with is less than what I catch now, which means my business value (based on future value of catch) would be decreased. No one would purchase it under the new arrangement, and no one will sell shares to allow me to increase my catch, so I don't see how this will work.
- PFA members indicated some support for Option 3, but also indicated concern over the application of this option, and concern regarding regional differences, with support for separate regional management.
- Concerns have been raised regarding the ITCAL being breached resulting in the seasonal closure being introduced – effectively introducing a competitive TAC which is not supported.
- All options will put me out of business as I work the worm only licence.

Reasons as to why options were not supported in general were also provided by 11 respondents. These fell into six comment categories as illustrated in Figure 1.

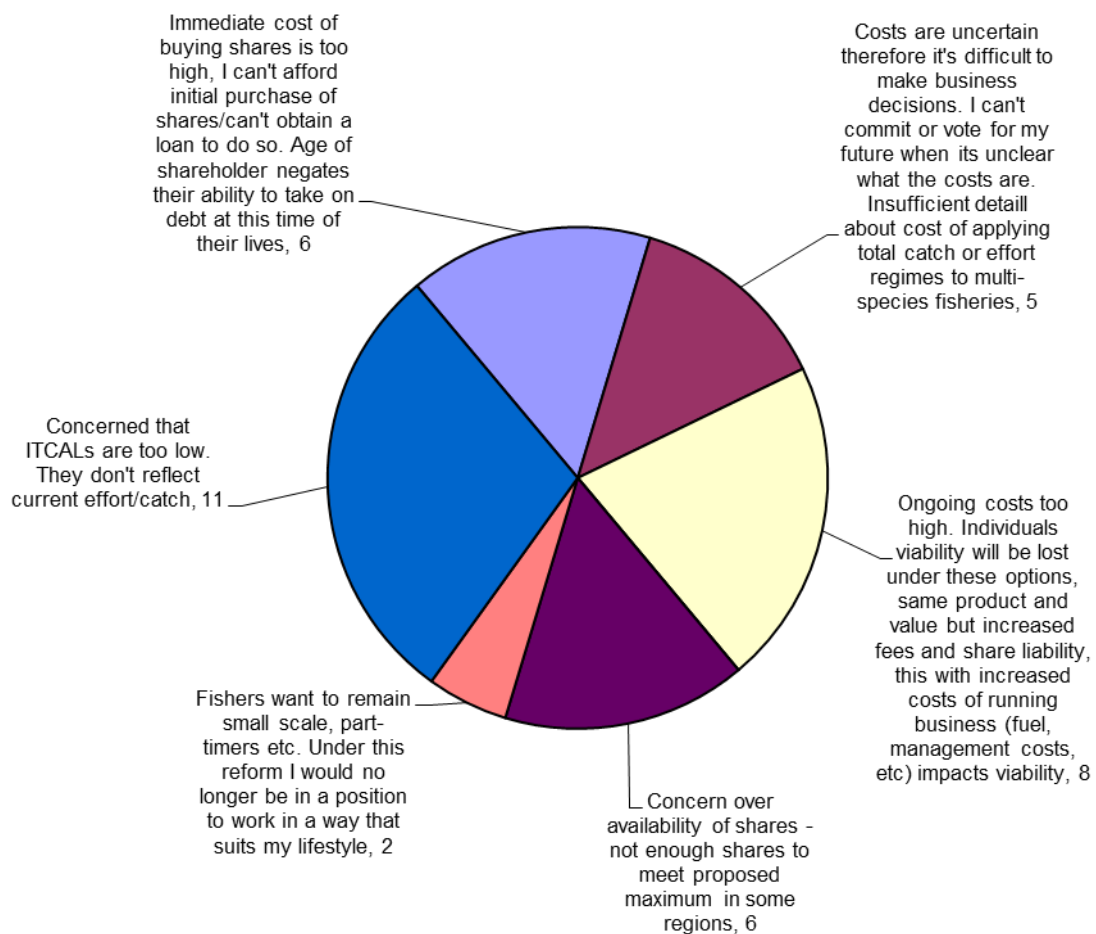


Figure 1: General reasons why respondents had concerns with the linkage options

5.1.3 Reasons linkage options were considered satisfactory or most satisfactory

Where respondents indicated that one or more options were satisfactory or most satisfactory, they were also asked to provide an indication as to why.

Specific reasons given by respondents as to why they indicated an option to be satisfactory or most satisfactory included comments like the following:

- *“Quota is the best way to manage a single species fishery particularly one that is in recovery and numbers are unknown.”*
- *Option 2 is most satisfactory, but “the ITCAL is still too low, it doesn’t reflect what is actually caught.”*
- *Option 2 is most satisfactory, but “concerned about ITCAL being too low, and that this will reduce my viability into the future.”*
- *Option 3 is most satisfactory, “set quota at 40 kg/day.”*
- *Option 3 is most satisfactory, but “I don’t like that DPI has forced me to make a choice about preferences over the options.”*
- *“Option 3 suits Region 4 as current restrictions have increased pipi populations and now the industry is sustainable again.”*
- *“Bring in kg quota in a state-wide basis as soon as possible. I also think that minimum shareholding should rise slightly to stimulate people to sell their shares.”*

Additionally, the majority of PFA members have provided some support for Option 3 but only at stage 1, not stage 2, as this option does not reduce the current activity levels of fishers and enables a return on further investment.

Eleven respondents also indicated general reasons why options were considered satisfactory or most satisfactory; these are illustrated in Figure 2.

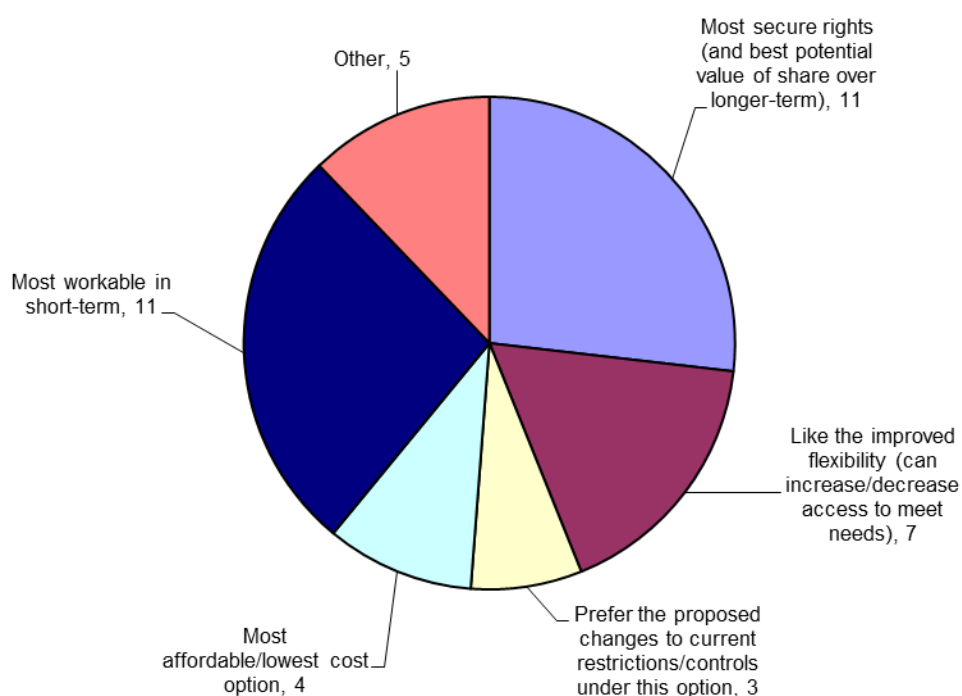


Figure 2: General reasons why linkage options were considered satisfactory or most satisfactory

5.1.4 Alternative and modified options suggested by respondents

Where options were not supported, either considered unworkable or needing improvement, a number of alternative or modified options were suggested by respondents, these are listed in Table 5.

Table 5: Alternatives and modifications to linkage options suggested by respondents

Hand gathering linkage options	Modifications suggested by respondents	Alternatives suggested by respondents
Option 1: Endorsement numbers (Minimum shares)	All shareholders should be required to raise their shareholding to meet current minimum shareholding requirements.	1 share worm only licence should be allocated 125 shares as the work effort derived from the 1 share worm licence is the same as the full hand gathering licence. - Forget about share allocations and look at zones individually.
Option 2: Pipi, beachworm cockle and nipper catch quota	- Increase the ITCAL for pipis to 300,000kg; this is a decrease of 170,000 kg from what is currently permitted to be taken under the 40kg/day restriction. And, divide the ITCAL equally between the endorsement holders whilst allowing shares to be transferred across zones. - Quota should be allocated to individuals based on catch history. Alternatively replace all options with a buyout that targets latent fishing licences within the fishery and leave the remaining fishermen to carry on status quo.	Species subject to catch quota should have all daily and seasonal closures abolished this flexibility would be crucial if quota regime is adopted to make it more viable to travel long distances to harvest and take advantage of favourable weather conditions. e.g. instead of a 40kg limit on pipi per day it should be 280kg per week.
Option 3: Staged implementation of a catch quota regime - interim daily limits with a limit on total catch	- Hand gathering should be left as is, as it already has a 6 month closure, daily quota and size limit for pipi, and current minimum shareholding should be enforced. - For pipi fishery leave as it is, or possibly increase the daily limit to 50 or 60kg provided enforcement is improved.	NIL

Alternative combinations of the linkage options presented were also suggested:

- A possible solution to accommodate the reform in the hand gathering sector would be to restrict endorsements to individually endorsed species. Each of these species could be allocated shares based on catch history. The shares for each species could then be available to trade up to the minimum requirement. This approach would remove the latent effort in relation to species not caught on a non-restricted hand gathering endorsement.

5.1.5 Responses to other specific feedback sought in the options paper

State-wide or regional allocation of catch quota

Commercial fishers were asked to provide comment on whether they thought a catch quota should be allocated on a state-wide or regional basis and why. Fifteen respondents commented.

Seven (44%) supported a state-wide allocation while eight (56%) supported a regional allocation. In addition, the PFA provided on behalf of their members a range of supporting statements for separate regional management.

Comment was also made by two respondents that historical (concessional zoning) permits, allowing fishing in neighbouring regions should cease to exist: *“Get rid of fishers working on historical permits in neighbouring regions, it is not fair for those restricted to one region”*.

5.1.6 Responses to potential changes to current restrictions

Each of the reform options was coupled with potential changes to current restrictions, forming the overall reform package for consideration. Commercial fishers were asked to provide feedback on the nine proposals put forward⁵. Few hand gathering fishers made comment on the potential changes. Comments that were made related to three of the proposals and are provided below.

Pipi closures

Five shareholders made comments relating to the proposal to remove the six-month closure for pipsis. Shareholders provided statements indicating that the closure should remain:

- *“A closed season for pipi gives juveniles a chance to grow and is good for public perception. It also keeps monitoring and compliance costs down for DPI and monitoring and water sampling cost down for fisherman.”*
- *“We should continue under the current restrictions for 6 months and then re-assess the stock.”*
- *“Since the 40 kg/day and 6 month closure has been in place it's increased the pipi population and the industry is now I believe sustainable.”*
- *“Hand gathering should be left as is, because 6 month closure has already imposed size limit on pipsis.”*

Another shareholder suggested the need to remove the closures, as this would allow for flexibility, particularly if catch quotas were to go ahead.

Pipis – 40 kg daily and possession limit

One shareholder indicated that the existing 40 kg daily limit should be maintained:

- *“Current status quo 40 kg/day of pipi for the next 6 months then re-assess.”*

Six other shareholders suggested an increase, for example:

- *“Standard daily catch limit for pipi can be increased to 50 or 60 kg provided it is policed better than it is being currently.”*
- *“If going to quota, we need more.”*
- *“Species subject to catch quota should all have daily and seasonal closures abolished. Doing this would improve flexibility and be crucial if a quota regime is adopted in making it more viable to travel long distances to harvest and take advantage of favourable weather conditions, e.g. instead of a 40 kg limit on pipi per day it should be 280 kg per week.”*

Foreign ownership

Two respondents also made comment regarding the removal of restrictions on foreign ownership of shares on the basis that there is negligible risk of significant foreign ownership of the relatively small-scale fisheries in NSW.

Both, respondents, one shareholder and the PFA, were in opposition, indicating that the restriction should be retained.

Three other industry participants (cooperatives etc.) also indicated opposition to the potential change.

⁵ Potential changes to current management restrictions put forward to EGF hand gathering shareholders included: 1) removal of maximum shareholding of 40% of shares; 2) removal of foreign ownership restrictions; 3) removal of the need to register “eligible fishers” against FBs; 4) removal of the need to licence boats; 5) removal of the need to licence boats in the EGF; 6) closed water permits for towing commercial gear through closed waters; 7) removal of the 40 kg daily and possession limits for pipsis; 8) removal of hand gathering from the prohibited methods in Merimbula Lake shellfish fishing closure, and 9) allowing fishers with a commercial fishing licence (but who aren't endorsed) to assist fishers who hold the minimum shareholding.

SNAPSHOT – Netting component of Estuary General Fishery

- 481 shareholders
- 177 (37%) lodged submissions
- 154 (32%) commented on options

Options presented

Option 1: Managing endorsement numbers, through setting of a two-stage minimum shareholding complete by 1 July 2016.

Option 2: Effort quota (days) regime

Option 3: Meshing net length regime

Option 4: Effort quota (competitive days) regime

Responses in brief

One hundred and five respondents (68%) said all options were unworkable.

Of those who indicated options were workable:

Prawning, Category 1 & 2 Hauling, and Handline and Hauling Crew respondents indicated that **Option 1** was most satisfactory.

Meshing respondents indicated that **Options 1, 2 and 3** were satisfactory or most satisfactory.

Option 4 was identified as the **least satisfactory** option by most, and was more frequently indicated to be unworkable.

5.2 Estuary General Fishery – Netting component

Four options were presented in the netting component of the Estuary General Fishery for comment.

A total of 182 submissions were received, with 177 (37%) of these from netting shareholders (177/481) which represented 39% of FBs that hold netting shares (212/546). Four submissions were from non-shareholders (nominated fishers) and one was from the PFA.

Table 6 details the number of submissions received for each share class.

Table 6: Number of submissions received in the EGF netting share class

EGF - Netting	Region							Total
	1	2	3	4	5	6	7	
Meshing (EGM)	17	38	18	67	16	16	8	180
Prawning(EGP)	13	34	16	57	5	13	9	147
Category 1 Haul (EGC1H)	7	18	7	34	9	11	3	89
Category 2 Haul (EGC2H)	6	16	14	37	3	6	5	87
Handline & Hauling Crew (EGHHC)	18	42	16	73	21	17	11	198

5.2.1 Summary of support and opposition for the share linkage options

Of the 177 submissions, 154 (87%) included a response to the options presented for comment. Forty-nine (32%) indicated that one or more options were workable.

One hundred and five respondents (68%) indicated that all options were unworkable (Table 7).

Of the respondents that indicated that one or more options were workable, the majority indicated that the satisfactory or most satisfactory options were:

- Option 1 (endorsement numbers) for the prawning, category 1 & 2 hauling, and handline and hauling crew share classes; and
- Option 1 (minimum shareholdings), Option 2 (days regime) and Option 3 (meshing net length) for the meshing share classes.

Option 4 (competitive days regime) was identified as least satisfactory by most. It was also identified more frequently as unworkable compared to the other options presented across all share classes.

Table 7: Summary of respondents' level of satisfaction with the linkage options presented

EGF netting linkage options	Most satisfactory	Satisfactory	Least satisfactory	Unworkable	Total
Meshing (145 of 180 submissions provided comment on options)					
Option 1: Endorsement numbers	10	10	5	117 (82%)	142
Option 2: Effort quota (days regime)	13	8	7	116 (80%)	145
Option 3: Meshing net length	14	8	5	111 (80%)	138
Option 4: Effort quota (competitive days regime)	0	1	8	127 (93%)	136
Prawning (120 of 147 submissions provided comment on options)					
Option 1: Endorsement numbers	17	6	3	94 (78%)	120
Option 2: Effort quota (days regime)	7	5	8	100 (83%)	120

EGF netting linkage options	Most satisfactory	Satisfactory	Least satisfactory	Unworkable	Total
Option 4: Effort quota (competitive days regime)	1	0	5	109 (95%)	115
Category 1 Haul (78 of 89 submissions provided comment on options)					
Option 1: Endorsement numbers	6	5	0	64 (85%)	75
Option 2: Effort quota (days regime)	5	4	2	67 (86%)	78
Option 4: Effort quota (competitive days regime)	0	0	3	71 (96%)	74
Category 2 Haul (71 of 87 submissions provided comment on options)					
Option 1: Endorsement numbers	5	2	1	61 (88%)	69
Option 2: Effort quota (days regime)	1	3	3	62 (90%)	69
Option 4: Effort quota (competitive days regime)	0	0	1	70 (99%)	71
Handline & Hauling Crew (143 of 198 submissions provided comment on options)					
Option 1: Endorsement numbers	19	4	3	128 (83%)	154
Option 2: Effort quota (days regime)	6	5	4	137 (90%)	152
Option 4: Effort quota (competitive days regime)	0	2	6	140 (95%)	148

5.2.2 Reasons linkage options were considered least satisfactory or unworkable

Of the respondents who indicated that they did not support the options presented, few identified specific reasons as to why. Reasons provided by respondents that were specific to the options presented are included in Table 8.

A range of reasons, not specific to any option, were also provided as to why options were not supported in general; these are illustrated in Figure 3.

Broader comments on the reform in general are summarised in Section 6 of this report.

Table 8: Specific reasons why respondents had concerns over linkage options

EGF netting linkage options	Reasoning provided by respondents specific to linkage options
Option 1: Endorsement numbers	- Entitlements should not be eroded. It's totally unfair to go from maximum shares (125) to minimum shares now minimum shares of 125 in one foul blow, and also reducing workable fishing days significantly. - Limited capacity for young people to enter the industry. - Industry members oppose the severity of the proposed minimum share rise where there is little risk of latent shares becoming active.
Option 2: Effort quota (days regime)	- The most frequently cited reason for why Option 2 specifically was considered unworkable was safety concerns (23 individuals). Issues with reporting complexity were also raised by 2 respondents as were cross border issues. ITCALs were also of concern (see Figure 3). - Day allocation will increase effort as fishers will have to work full 24 hour days to remain viable, and will increase safety risks for fishermen. Allocating days is a ridiculous proposal the cost of enforcement would be exorbitant and continual. Linking catch/effort to shares should not be done at all. - Days not supported, safety concerns. Day is dangerous as it will force fishers to fish in bad conditions as once they start they will keep going. 24 hour day allocation could result in an OH&S issues. - No support for days for multi-share class holders, too confusing to track and report. - Days option for handline and hauling is laughable at 3 days allocation which equates to \$333 per day in management charges and its unimaginable to purchase a years worth of days for this share class.

EGF netting linkage options	Reasoning provided by respondents specific to linkage options
	• This devalue share class (365 days down to xx days = less potential entitlement/access). • No one will invest in an endorsement where you can only work 4 days. • Ten days access for hauling net (as owner) is not enough when you can only work one shot per day, we will have to do multiple shots. • Going off days reported does not work. • To link to days does not recognise the need to diversify your fishing day to be as efficient as possible within a fishing business and would be very complicated to administer and enforce
Option 3: Meshing net length	Main concerns were sustainability issues, and practicalities of reporting. • For meshing option 3 is close, shares should be linked to what we have but I would still lose as out we can currently use 1450 m in some areas. • The net length day regime is bad for sustainability you could end up with one large shareholder potentially put 10,000 m of meshing net in one area. • Impractical for a fisher to provide a pre-fishing report the day before as the resource is difficult to know where they are at any one time. The need to advise when a particular net is going to be used is impractical as the fisher won't know which will be used on the day. • Pre-fishing reporting and phone apps are not suitable to our fishing environment, as all our work is dependent on weather conditions and we do not know when we will be working. There is no phone reception in a lot of areas we work, we work in small vessels in wet conditions (and many people don't have access to internet/mobile phones). • I believe that Option 3 for the netting component of the EGF is not a realistic approach for managing a fishery. I do not believe the reform should be about creating tools that facilitate the taking of more fish than those tools currently do. Sustainability should be the focus so that the fishing industry has a defence for its critics. • The additional burden and complexity of reporting net length and days fished is unfair, costly to fishers and provides no protection to fish viability. • Some industry members (regions) supported this linkage as it could suit existing rights, however others raised concern that it reduces their rights where they can fish more than 725 m in specific areas. All regions expressed concern over the complexity of such a linkage and the ability of it to be enforced. • Not enough shares to maintain current access levels so many fishers will be forced out.
Option 4: Effort quota (competitive days regime)	• I believe that Option 4 for the netting component of the EGF is not suitable for managing the fishery as for the reform program to be successful fishers need to know exactly what piece of the pie that their shares entitle them too.

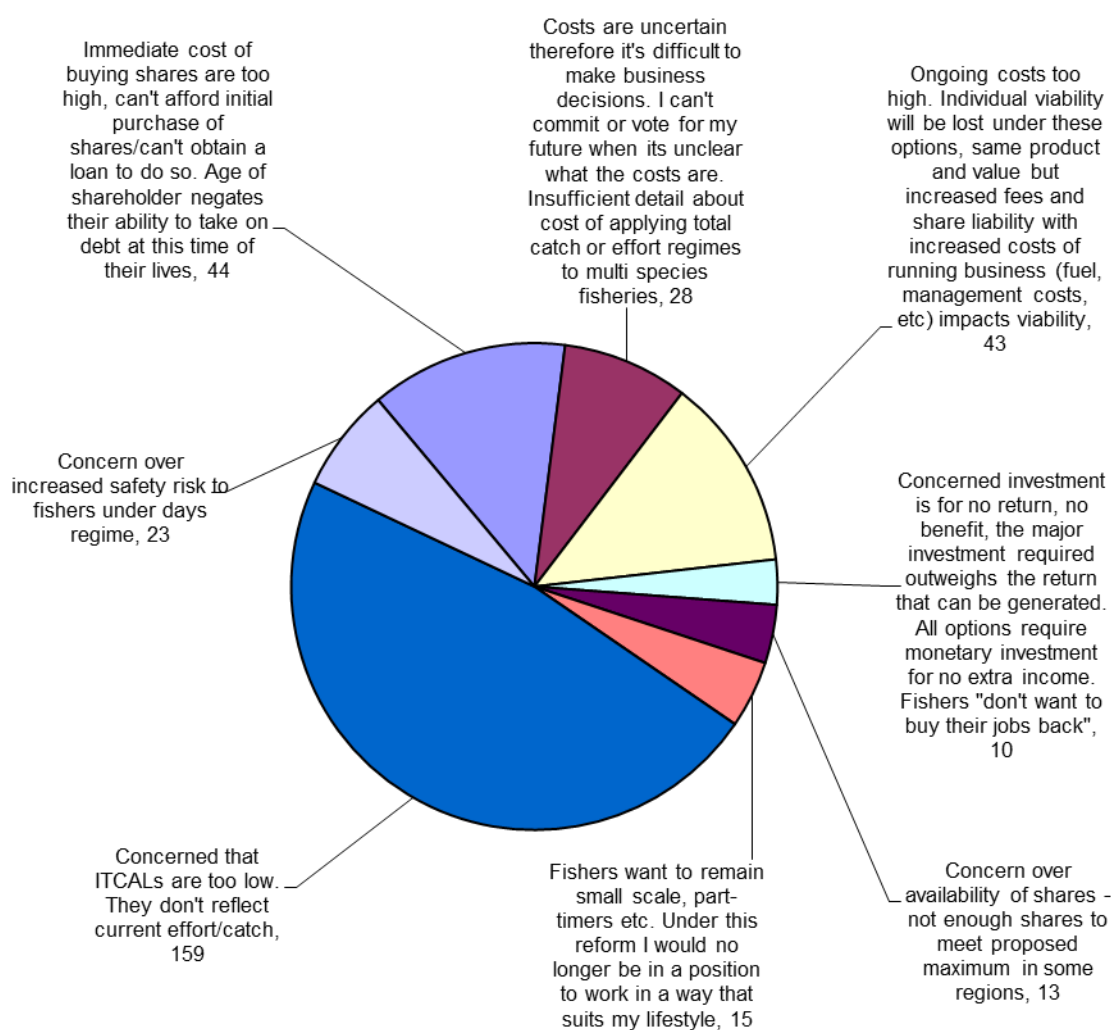


Figure 3: General reasons why respondents had concerns with the linkage options

5.2.3 Reasons linkage options were considered satisfactory or most satisfactory

Where respondents indicated that one or more options were satisfactory or most satisfactory, they had the opportunity to provide an indication as to why.

Specific comments provided in support of particular options are included in Table 9.

Forty respondents also provided general reasons as to why options were considered satisfactory or most satisfactory, these are illustrated in Figure 4.

Table 9: Specific reasons linkage options were considered to be most satisfactory or satisfactory

EGF netting linkage options	Supporting statements/justifications provided by industry for linkage options
Option 1: Endorsement numbers	Support for minimum shares, as it's the simplest, cheapest and easy to police.
Option 2: Effort quota (days regime)	- Maximum number of meshing days would be most beneficial to me. I would be happy with a days regime if I was allocated 5 days per week with total weekend closures to appease the recreational fishers. - I support linking shares to days effort for access in the meshing and category 1 hauling fisheries as this would allow me to tailor my shareholding to the level of access I require.
Option 3: Meshing net length regime	Option 3 most satisfactory, this option lets me work more safety with less chance of it decreasing my licences value and it also doesn't affect cross border licence issues and I can maintain my current catch level. However, reporting requirements need to

EGF netting linkage options	Supporting statements/justifications provided by industry for linkage options
	be handled correctly. - Option 3 for meshing provided there is no quota or allocation of days could work, increased shareholding would equate to stronger access and head in the direction of the reform. Minimum shareholding would have to remain at 125 shares, no major changes would be required to reporting and compliance arrangements therefore requiring no increase in management costs. - Option 3 for meshing would be the less impact option and should be implemented for 5 years to guarantee that endorsement prices were kept down as it would be too expensive for fishermen to keep them dormant and then the harder option could be introduced. - All the options involve specific time frames and compulsory investment except Option 3 for meshing which allows fishers to tailor their business to the amount of net they require and still work to earn money to reinvest into the future in gear/shares etc. - Restricting fishers to two nets under Option 3 would restrict fishers and promote share trading for fishers who wish to use more than two nets. - I agree with the potential changes to current restrictions in relation to Option 3 for meshing, but see no potential amendments to netting fishing closures in my fishing area. The use of 1,450m nets should be restricted to a level of 250 shares and should apply at the commencement of the linkage regime. - Some PFA members support this option given that it does not take away existing rights. However is not supported by members in other regions where it does reduce current access rights.
Option 4: Effort quota (competitive days regime)	NIL

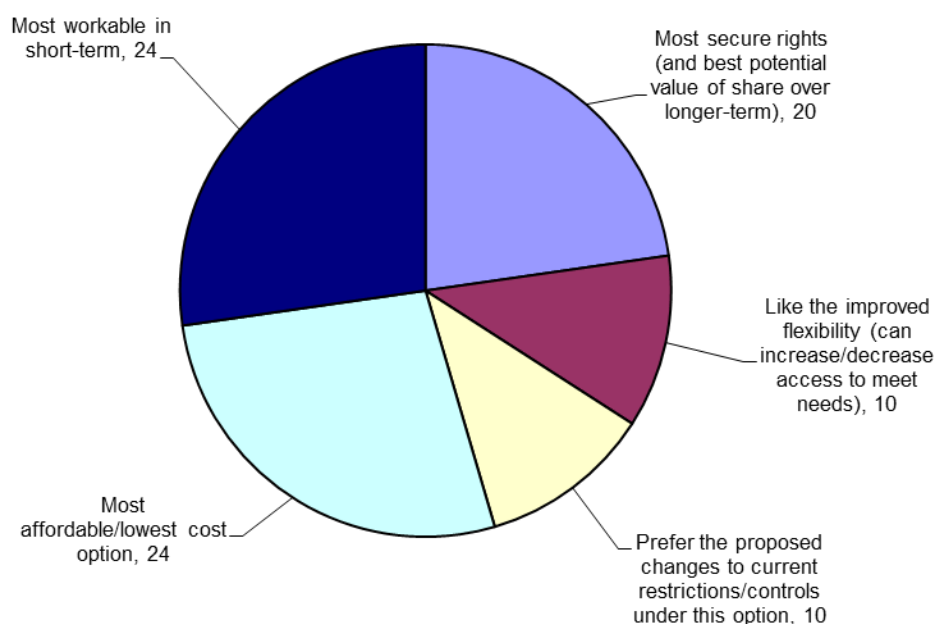


Figure 4: General reasons why linkage options were considered satisfactory or most satisfactory

5.2.4 Alternative and modified options suggested by respondents

Where options were not supported, either considered unworkable or needing improvement, a number of alternative or modified options were suggested by respondents. These are listed in Table 10.

Table 10: Alternatives and modifications to linkage options suggested by respondents

EGF netting linkage options	Modifications suggested by respondents	Alternatives suggested by respondents
Option 1: Endorsement numbers	- Force all fishers to bring shareholding up to current minimum shareholding of 125 shares – all share classes. - As there are limited shares available in region 1 we should only have to buy half an endorsement to get numbers down – all share classes. - Give us five years after the buyout to get more shares. - Double the minimum shares required in 5 years' time which allows us to work and buy the shares we need during the 5 year period. - Shares should stay at what they are currently valued, i.e. 125 per endorsement. - Link shares to access only, this would mean that to participate in a fishery you would have to have to have the maximum shares that were issued to fish, in most cases 90% of fisherman currently hold the maximum meaning only 10% would need to acquire shares to continue fishing. - Minimum shareholdings must rise to stimulate movement in shares and eliminate potential latent capacity e.g. 150 shares minimum, but 250 shares is 2 endorsements, 375 shares is 3 endorsements, so 125 shares is an endorsement but you need 150 to go to work. (Meaning, raise the minimum to 150 for an endorsement, but allow an additional net for every 125 shares after the original 125, so that fishers need 150 shares for 1 net (original 125 but increased to 150 to go to work), then 250 shares needed for 2 nets, 375 for 3 nets, 450 for 4 nets...or The number of nets permitted equals shareholding/125, but need to hold 150 as a minimum). 125 shares equals 125 days, this would work without putting fisherman out of work. It would be the least change for my business. Least restrictive option. - Leave the current number of minimum shares for the Category 1 & 2 hauling as it currently is as there is no science in terms of sustainable catch limits to warrant any changes. - For Category 1 hauling in region 4, minimum shareholding of 240 shares will not create enough consolidation; 25 crews is too many, it should be 240 shares as at 1/7/15 and 375 shares which must be held by 1 person or a crew of 3 by 1/7/16. If one person has the 375 shares he should be allowed 2 crew and when linked to days 375 shares should = 3 times the days allocation whether state-wide or regional.	
Option 2: Effort quota (days regime)	125 shares should equal 125 days access as it ties existing shares to days (access), reduces effort by approximately 50% (we are currently allowed to work 250 days per year), is easily monitored via IVR or newly developed phone app, maintain the minimum shareholdings that are currently in place. It can be region specific, to increase access to any endorsement in the EG fishery, one must buy a full 125 shares in each endorsement, this should give them 250 days access per EG prawning, meshing, hauling (cat 1 & 2) and handline/hauling share classes or an additional ball in the prawn ballot or additional net length or additional haul shots. - All days excluding weekends from 4pm on Friday to	

EGF netting linkage options	Modifications suggested by respondents	Alternatives suggested by respondents
	4pm on Sunday should be workable.	
Option 3: Meshing net length regime	125 shares should equal less net length than it does currently e.g. 500 m. 1 share should equal 11.6 m of net, - I support a reduction in mesh nets to two per 125 shares, i.e. 3 would require 187.5 shares and 4 would require 250 shares.	Shares linked to net length and controlled by net rego's (2 comments the same).
Option 4: Effort quota (competitive days regime)	Quota should be allocated to individual catch history, once this was done the DPI could then put in a program of shares and days for any newcomers this would keep the value in a licence for fisherman who are in the industry now and reduce effort over time.	- Bullringing for garfish could be managed using a competitive TAC that starts July 1, this would mean the garfish would only be used by those who are active in the fishery and not allocated through a quota across active and inactive fishers. - Use the clause in the fisheries legislation to fix the problem i.e. "new share can be allocated" This can be used to allocate new shares with a basket quota allocated on an average of what a fisher caught over the last five years. If a fishing business has been recently purchased then the previous owners catch history in that period should be used. Fishing businesses that have not submitted catch returns during this period should not be permitted to submit absent returns to increase there quota. If this is adopted it will achieve everything the department is trying to achieve and it should not impact on the main commercial fishers.

Alternative combinations of the linkage options presented were also suggested:

- Increase all netting share classes to a minimum of 150 shares plus the days regime.
- A better option for handline and hauling crew would be to amalgamate this share class with meshing at no extra cost, which also simplifies Option 2.
- A small increase in minimum shares with the addition of a combined crew share, so that as the shareholding is increased it does not have to be held by one individual operator but rather across the crew.

5.2.5 Responses to other specific feedback sought in the options paper

State-wide or regional allocation of days (effort quota)

Fishers had the opportunity to comment on whether they thought an effort quota (days allocation) should be allocated on a state-wide or regional basis and why.

Eighty six respondents commented; 44 (51%) indicated that they were not in support of either (state-wide or regional allocation) reflecting their opposition to the effort quota (days) regime. Of the remaining 42 respondents, 35 (83%) supported a regional allocation while seven (17%) supported a state-wide allocation.

Respondents provided the following comments on state-wide or regional allocation of days:

- *"Management arrangements must be region specific; what works in one region doesn't work in another."*

- *“Fishing is different between regions, different methods, different species and different work effort.”*
- *“Regional allocation makes shares from one region worth more than shares from another region as they would be allocated a better investment by government for the same fees, the regions allocated more days should have to pay more fees.”*
- *“Regional allocation of days will increase my day’s access in the fishery.”*
- *“Costs of management should be attributed to shareholders proportional to the number of shares they hold. We are local fishers, local industry, local community.”*
- *“Reason for wanting regional allocation is that in Region 6 historical garfish catches if allocated across the state will go to fishers who do not target them and reduces Region 6 allocation to 4 days for EGC2H. Regional allocation of days reflects historical access.”*

Maximum numbers and lengths of meshing nets – meshing share classes

Fishers had the opportunity to comment on maximum numbers and lengths of meshing and flathead nets used under the authority of the meshing share classes.

Some respondents gave specific responses to one or more of the three questions. Others made broad comments. Overall, the majority of respondents indicated that they wanted the current arrangements to remain unchanged.

Tables 11 to 13 list the specific responses. Broad comments follow the tables.

Table 11: Responses to maximum meshing and flathead net length set at any one time

EGF Region	Number of respondents	Response
1	1	Leave as is
	2	725m
2	3	Leave as is
	1	1000m
	1	1400m
	1	1450m
	2	Leave as is
3	3	725m
	1	740m
	1	1450m
	14	Leave as is
4	5	725m
	2	1000m
	1	1410m
	6	1450m
	1	1450m meshing or 1400m flathead
	1	2000m
5	3	Leave as is
	1	1450m meshing or 1400m flathead
6	4	Leave as is
	1	725m
7	2	1450m

Table 12: Responses to the maximum number of meshing and flathead nets set at any one time

EGF Region	Number of respondents	Response
1	3	Leave as is
2	2	Leave as is
	1	1
	1	3
	3	Leave as is
3	4	1
	1	3
	1	1 with unlimited days or 2 under a days regime
	14	Leave as is
4	4	1
	3	3
	1	1 meshing net and 2 flathead nets
	1	2 meshing nets and 2 flathead nets
	1	3 meshing nets and 2 flathead nets
	1	No limit
5	4	Leave as is
	1	4
6	3	Leave as is
	1	1 meshing net and 1 flathead net
	1	May to September 1 net and 2 for rest of the year
7	1	1
	2	3
	1	4

Table 13: Responses to the maximum length of a meshing and flathead net used at any one time

EGF Region	Number of respondents	Response
1	3	Leave as is
2	3	Leave as is
	1	1400m
	1	2175m (2 set nets and 1 splashing net)
3	2	Leave as is
	4	725m
	12	Leave as is
4	1	350m flathead net and 220m meshing net
	6	725m
	2	1000m
	1	1000m of flathead net and 1000m of meshing net
	1	1450m meshing net or 1400m flathead net
	4	2175m (2 set nets and 1 splashing net)
	1	2175m (1450 flathead or set net and 1 725m splashing net)
	1	3000m (2 set nets and 1 splashing net)
5	5	Leave as is
	1	1000m (3 set nets [750m] and 1 splashing net [250m])

EGF Region	Number of respondents	Response
6	3	Leave as is
	2	725m
	1	1450m
	1	May to September 1450m and 750m for rest of year
7	2	1450m
	1	2175m (1450 flathead or set net and 1 725m splashing net)

Respondents provided the following broad comments on maximum numbers and lengths of meshing and/or flathead nets:

- *“Meshing net lengths should be equal in all zones as all meshers pay the same fees”.*
- *“Flathead nets should be abolished.”*
- *“Total length set should not exceed 1450 m but if 2 endorsements it could be 2 flathead nets set = 1450 m and one mesh net 725 m (not set), 3 endorsements = 3 nets but must not exceed 1450 m set, 4 endorsements = 4 nets but must not exceed 1450 m set.”*
- *“Nets should be linked to shareholding i.e 1 endorsement = as is now 2 flathead nets or one mesh net either set used as splashed and retrieved, 2 endorsements = 2 flathead nets total length set = 1450m and one mesh net (not set) 2 endorsements = 2 mesh nets set total length 1450m.”*
- *“A shortened mesh / flathead net or limit of net would encourage fisherman to work better and take pressure off resource.”*
- *“725m per 125 shares extra net = 5.8m per share.”*
- *“Double shareholder would be able to use double net length but only with another commercial fisher onboard.*
- *“Rivers require different fishing approaches to lakes in some areas you cannot fit a 725m net.”*
- *“Splash period for meshing should be increased to 1hour set during December and January, provided the gear is not left unattended.”*

Crewing arrangements – meshing, category 1 and 2 hauling and prawning share classes

Fishers had the opportunity to comment on the proposed changes to crewing arrangements detailed in the options paper.

Seventy nine respondents commented; 41 (52%), including two fishing cooperatives, were in support of the proposal, 16 were opposed and 22 indicated that they want all arrangements left as they are (48% opposed/leave as it is). Examples of respondents comments included:

- *“I firmly believe that it is in the best interest of industry to somehow incorporate the ability to take unendorsed crew members. This would give FB owners flexibility in determining crewing arrangements, help improve the economic viability of FB owners and create an opportunity for potential new entrants to participate in the fishery.”*
- *“Estuary fishers should be allowed to take a deck hand like trawlers have.”*
- *“One crew per extra 125 shares.”*
- *“Should stay as is.”*

- *“The Act should be amended so that the Handline and Hauling Crew endorsements should read Handline and Crew endorsement which would allow you to assist in any Estuary General endorsement.”*
- *“Handlining should be a category on its own not combined with Hauling Crew.”*
- *“Good idea, 250 shares 1 extra crew, 375 shares 2 extra crew.”*
- *“If you hold 250 shares in prawning, meshing and category one haul I can’t see why you can’t have a crew member.”*
- *“This is the most important part of the days and minimum shareholding options, an amalgamation of shares warrants a reward in assistance.”*
- *“I support category 1 hauling proposed changes as you have an observer on the net to advise the public that are on the lake (OH&S) and remove crab pots and put them back in the same spot when the hauling net have been retrieved.”*
- *“I reject the proposal that any commercial fishing licence holder can assist as crew in the estuary general fishery, it makes my estuary general handline and crew endorsement worthless and increases effort which is contrary to the reform objectives. This will result in fisherman increasing effort if days are allocated to fishers.”*
- *“I do not think that would be positive for the industry, I see it increasing effort, I see the potential for large investors to use this to establish travelling crews impacting on the profits of local communities.”*
- *“This would improve safety”.*
- *“Very good, it’s about time”.*
- *“As long the endorsed fisher has a crew license yes why not safety in numbers.”*
- *Allows for training new entrants, “My dad can teach me how to mesh net and learn the game”.*
- *“Agree, this would reduce costs.”*
- *“The use of unendorsed crew in the hauling fishery will create huge problems with region based fishermen, because what is proposed if it was to become a reality large organisations or overseas people could buy up a large number of shares and license their own people and go from one end of the state to the other catching sea mullet and other species during the spawning season, taking all the profits away from the small communities having a huge impact on the local economy and co-operatives.”*
- *“For safety reasons I should be able to carry an un-licenced person if I choose to as an observer.”*

Priority prawn determinations (prawn ballots)

Fishers had the opportunity to comment on the proposed changes to prawn priority determinations. Five respondents provided a limited number of comments.

Most supported the ability for fishers to have additional prawn draw nominations upon the acquisition of extra shares in excess of 100 shares above the required minimum shareholding. Respondents provided the following comments:

- *“No additional prawn ballots (it is pointless in the Wallis Lake ballot).”*
- *“I do not agree with one fisher having an advantage over another in a prawn ballot.”*
- *“By buying an extra 125 shares gives you priority over another fisher with less shares when doing the annual prawn running net determinations or stagger the*

days that the lakes are done on and for every 125 shares you hold you get 1 shot in differing lakes.”

- *“Each endorsement holder should be allowed 1 ballot for prawn draws regardless of how many shares they hold.”*
- *“Disagree with change to prawn priority determinations – however if a shareholder has 250 shares then they get 2 ballots in draw.”*
- *“Should be limited to current way it is done. If fishers want second marble, buy more shares.”*
- *“Allowing a fisher to have more marbles in the ballot is good.”*

The PFA indicated that many members saw the benefits of being able to invest in having additional access to the prawn ballots, indicating that this option maintains existing access rights but also enables those wishing to invest further to be able to achieve a return for investment.

5.2.6 Responses to potential changes to current restrictions

Fishers had the opportunity to comment on a range of potential changes to current restrictions as part of the overall reform package. A limited number of comments were received (other than those given for crewing arrangements above).

Twenty two respondents indicated that they wanted things left as they are – i.e. *“the current arrangements only”*. Seven respondents indicated that the proposed changes would be an improvement on current arrangements. Three respondents indicated that they agreed with all changes proposed.

A summary of the number of respondents to indicate either support or opposition of each of the potential changes is identified in Appendix 4.

Removal of foreign ownership restriction

The potential removal of the foreign ownership restriction received 11 responses; all (including the PFA) indicated no support for removing the restriction.

A range of reasons were cited in relation to this, for example:

- *“Lifting of foreign ownership bans will provide no future for NSW fishing families.”*
- *“If the risk (of foreign ownership) is nil why remove it, it should be left in place especially if the 40% ownership of shares is removed.”*
- *“If the restriction of foreign ownership is lifted, fishers are in danger of big business buying up their industry rights.”*
- *Foreign investment is a real risk; I’m concerned the rising food need in the world will drive the potential for foreign investment and may become a viability threat in future.”*

Removal of requirement for boat licences

The potential removal of the requirement to licence boats in the EGF received ten responses; six were in support and four were opposed. Those opposed suggesting compensation would be needed if it were to go ahead – i.e. *“If government chooses to remove LFBs they should compensate all fishers who currently hold LFBs for the value they had to pay”*.

Removal of net registrations

In response to the potential removal of net registrations, three responses were received; two opposed, one supported. Specific comments were also included as to why net registrations should not be removed:

- *“I do not support the removal of net rego’s this will result in an increase in fishing effort as they currently play a control rule on effort against certain species and activities.”*

- *“Managing net registrations would not be a costly exercise and to update fishers’ details and registrations would be easy.”*
- *“Net registrations are an asset and access right to many people’s business e.g. 6 and 8 inch mesh net rego’s.”*
- *“I would be happy to see the current net registrations permanently attached to the current endorsement and unattached nets de-registered to ensure no new effort.”*

5.2.7 Responses to potential changes to existing fishing closures

Fishers had the opportunity to comment on the list of EGF netting fishing closures identified by EGF shareholders for potential amendment. A limited number of comments were received.

A summary of responses that indicated either support or opposition of each of the potential changes is identified in Appendix 4.

SNAPSHOT – Trapping component of Estuary General Fishery

- 297 shareholders
- 106 (36%) lodged a submission
- 105 (35%) commented on options

Options presented

Option 1: Managing endorsement numbers through setting of a two-stage minimum shareholding complete by 1 July 2016.

Option 2: Effort quota (trap numbers) regime.

Option 3: Catch quota regime (eels, mud crabs and blue swimmer crabs).

Responses in brief

The majority of respondents who commented on options (83%) indicated that options were unworkable.

Of those that indicated options were workable:

Option 2 followed by **Option 3** were most frequently identified as satisfactory and most satisfactory.

Option 1 was most frequently identified as least satisfactory.

Overall, 21 (75%) of respondents who commented on catch quota allocation supported a regional allocation.

Limited responses were received on potential changes to current restrictions.

5.3 Estuary General Fishery – Trapping component

Three options were presented to Estuary General trapping fishers for comment.

A total of 122 submissions were received. One hundred and six of these were from shareholders, representing 36% of shareholders (106/297 shareholders) and 43% of FBs that hold the relevant trapping shares (138/323). Fifteen submissions were from non-shareholders (nominated fishers), and one was from the PFA.

There were 77 submissions on trapping, 73 on eel trapping and 85 on mud crab trapping. Five submissions were on trapping generally (i.e. were not specific to a share class). These submissions were from non-shareholders (nominated fishers) and the PFA.

Table 14 details the number of submissions received for each share class.

Table 14: Number of submissions received by EGF trapping share class group

Share class	Number of respondents per region								Total
	No region specified	1	2	3	4	5	6	7	
Trapping	2	4	9	17	32	10	2	1	77
Eel Trapping	3	2	16	16	17	6	10	3	73
Mud Crab Trapping	NIL	10	15	18	33	7	NIL	2	85

5.3.1 Summary of support and opposition for the share linkage options

Of the 122 submissions, 105 (86%) included a response to the options presented for comment. The majority (89, 84%) of respondents indicated that all options were unworkable.

Of the respondents who indicated that one or more options were workable, most identified Option 2 (effort quota regime - trap numbers) as being most satisfactory (Table 15).

Option 1 (endorsement numbers), was most frequently identified as least satisfactory. This was followed by Option 3 (catch quota regime).

Table 15: Summary of respondents' level of satisfaction with the linkage options presented

EGF - trapping	Most satisfactory	Satisfactory	Least satisfactory	Unworkable	Total
Trapping (62 of 77 submissions commented on options)					
Option 1: Endorsement numbers	1	3	2	54	60
Option 2: Effort quota regime (trap numbers)	11	4	0	47	62
Option 3: Catch quota regime	3	0	2	55	60
Eel Trapping (64 of 73 submissions commented on options)					
Option 1: Endorsement numbers	1	0	4	57	62
Option 2: Effort quota regime (trap numbers)	9	5	1	49	64
Option 3: Catch quota regime	3	2	0	59	64
Mud Crab Trapping (65 of 85 submissions commented on options)					

EGF - trapping	Most satisfactory	Satisfactory	Least satisfactory	Unworkable	Total
Option 1: Endorsement numbers	2	1	3	56	62
Option 2: Effort quota regime (trap numbers)	12	3	0	50	65
Option 3: Catch quota regime	4	2	2	56	64

5.3.2 Reasons linkage options were considered least satisfactory or unworkable

Of the respondents who indicated that they did not support the options presented, few provided specific reasons as to why. Reasons provided by respondents that were specific to the options presented are included in Table 16.

A range of reasons, not specific to a particular option, were also provided as to why options were not supported in general; these are illustrated in Figure 5.

Broader comments on the reform in general are summarised in Section 6 of this report.

Table 16: Specific reasons why respondents had concerns with linkage options

EGF trapping linkage options	Reasoning specific to linkage options
Option 1: Endorsement numbers	- Recently, 2 more of the four endorsements identified as latent (>95% GVP - Table 2), have been purchased and / or activated again. These had been used in the past and are now being used again. This further reduces potential latent effort in Region 1 to just 2 endorsements or 250 shares - this needs to be considered. New information on activation of endorsements would need to be included to determine the minimum share holdings again and I expect the change would lower the number of shares required for an endorsement. - Option 1, 45 trappers in region 4 is too many, maximum of 20 people should be allowed. - Concern over limited endorsements available. - Option 1 is major cost. - Concern over big business buying up endorsements and then holding maximum number of traps, this would lead to a sustainability issue.
Option 2: Effort quota regime (trap numbers)	- Option 2 is unworkable as there would be too many traps in the water. This would only work if linked to a higher minimum shareholding, e.g. > 250. - Doubts over the enforceability, expense is also a concern with this option. - I object because if fishers buy more traps you are activating the latent effort, e.g. the traps not being used. - If extra traps you put more effort (50% extra) on fishery, I believe this will be detrimental. - Disagree with increased trap numbers, this area (Region 2) will not support more than 50 traps. - No guarantee on trap numbers in the future (TAC process). - While PFA members generally support this option, some members are concerned over the potential for unequal fishing activity within a region, some believe that access should remain equal within the system. Some were also concerned about the enforceability and cost of this option. - Reporting requirements would be too difficult.
Option 3: Catch quota regime	- Quota is costly to run and regulate. How could we make a living on these quotas? Not all fisheries are like lobster. We could not cover costs. - Quotas won't work for multi-species fisheries. - Quota will result in retention of far more female crabs than males. - No quota as weather patterns and local closures and restrictions direct us when to fish.

EGF trapping linkage options**Reasoning specific to linkage options**

- Pre fishing reporting and phone apps aren't suitable, they are costly and complex.
- No benefit in going to quota. Plus there is the extra cost of stock assessment to determine a quota which would be passed on to my business via fees - decreases viability.
- Having quota limits the profit of professional fishers. Prices are low at times and quota limits will affect profits and force fishers into bankruptcy.
- Concern that introduction of a quota linkage while there are outstanding issues with the National Crab Grading Scheme will result in unfair price differentiation amongst regions (as there are regional differences in the NCGS).
- Extra burden of red tape in reporting.
- Reporting requirements would be too difficult, plus extra costs to buy in.
- Catch quota will work better if minimum shareholdings is 150 or more.
- Major cost is problem here, the cost to buy the quota needed to come up to current catches is too high.
- Proposed levels of catch would significantly reduce a fisher's current catch.

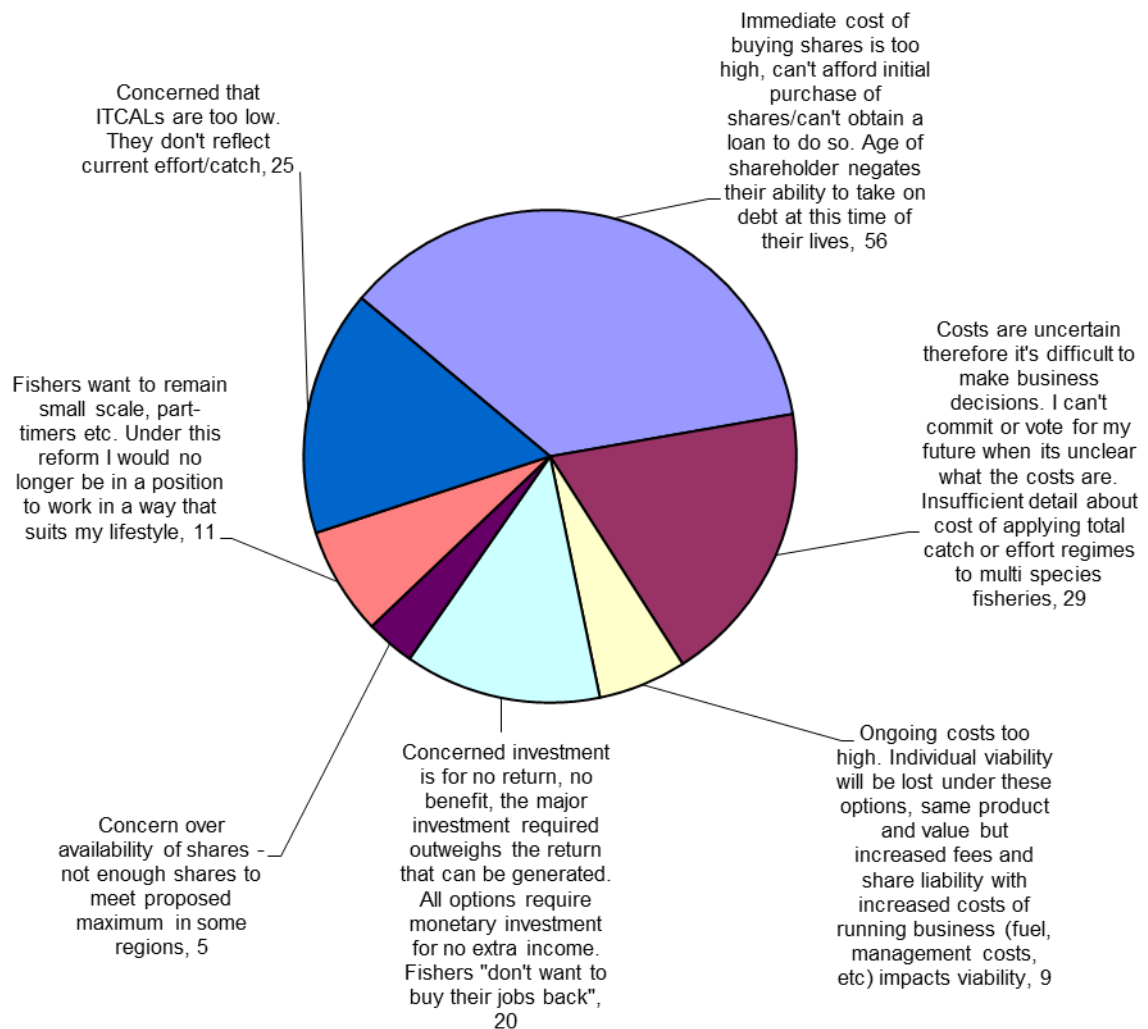


Figure 5: General reasons why respondents had concerns with the linkage options

5.3.3 Reasons linkage options were considered satisfactory

Where respondents indicated that one or more options were satisfactory or most satisfactory, they had the opportunity to provide an indication as to why.

Specific comments were provided in support of Option 2 only, these included:

- *“Option 2 allows me to continue fishing 365 days a year which is essential for my business to remain viable.”*
- *“Option 2 allows fishers to purchase more shares to fish with more gear allows fishers currently fishing illegally (using more traps than allowed) to invest and then operate legally (as well as encouraging industry to inform DPI about fishers doing the wrong thing).”*
- *“Option 2 allows fishers to purchase more shares to fish with more gear making it viable to travel long distances to work.”*
- *“Option 2 is the lesser of two evils.”*
- *“It will make it more viable to travel long distances to work if we can use more traps.”*
- *“It leaves people who don’t want to invest alone.”*
- *“Option 2 does not differ much from current system in Region 5, works quite well, so I support this option.”*
- *“Quota should be allocated state wide as Region 5 is not legally allowed to run as many traps as Region 4, artificially giving Region 4 fishers an unfair advantage in catch.”*
- *I support Option 2 (trap numbers) on a regional basis (for mud crabbing). I also support being able to add shares to gain greater access, more shares then more traps. I also support and encourage a point scoring system for compliance and tougher penalties.”*
- *“The majority of PFA members have advised that they prefer linkage to trap numbers as it does not remove existing access rights and allows gain for further investment.”*

Twenty-seven respondents also provided general reasons as to options were considered satisfactory or most satisfactory, these are broadly illustrated in Figure 6.

The most common reasons identified by respondents were that the options were considered to be workable, provide the most secure access rights (and best potential value of shares over the longer-term), and provide improved flexibility (ability to adjust access to meet their needs).

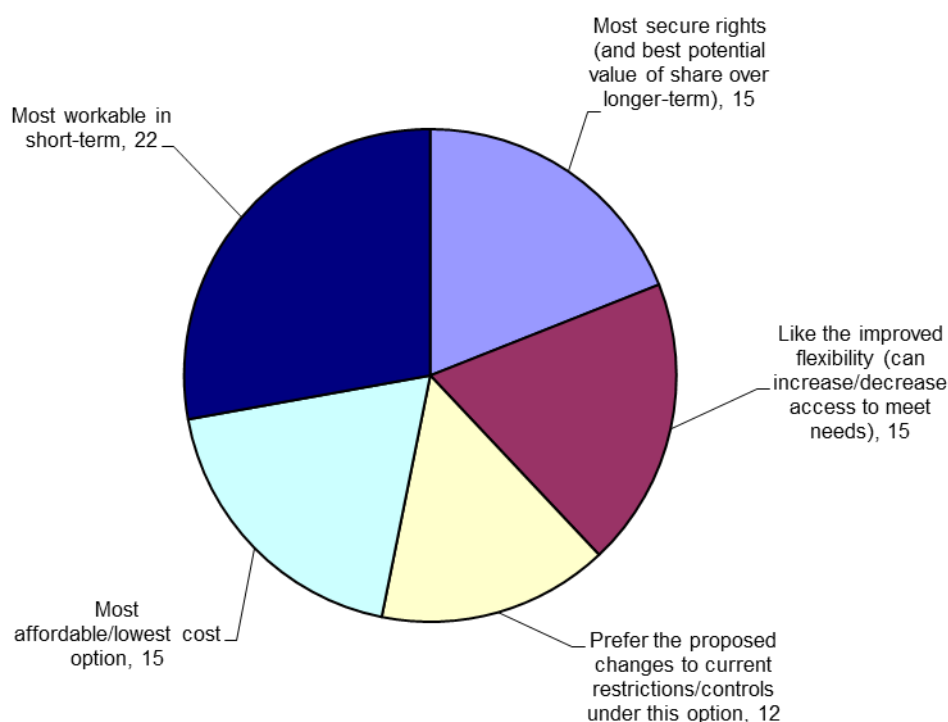


Figure 6: General reasons linkage options were considered most satisfactory or satisfactory

5.3.4 Alternative and modified options suggested by respondents

Where options were not supported, either considered unworkable or needing improvement, a number of alternative or modified options were suggested by respondents. These are all listed in Table 17.

Table 17: Alternatives and modifications to linkage options suggested by respondents

Linkage options	Modifications suggested by respondents	Alternatives suggested by respondents
Option 1: Endorsement numbers	- Bring all fishers up to minimum of 125 shares. - Link existing rights to 125 shares, the current allowable effort. - Incremental share increases run in a controlled manner (not the current scramble). - Maintain the minimum share holdings that are in place.	See below for combined alternatives.
Option 2: Effort quota regime (trap numbers)	- Trap numbers (TAE) will only work if minimum shareholding is above 250. - Would only work if it was also linked to a higher minimum shareholding (250). 125 shares = 10 MC traps = 12.5 per trap; 125 shares = 10 Eel traps = 12.5 per trap. - Maximum of 15 crab and 15 fish traps to be used by any fisherman. Must be capped or it will be a disaster, and must be policed by DPI. 125 shares = 20 traps, but also that additional traps could be purchased at 12.5 shares per trap. - Prefer the retention of the current shares linked to crab and fish trap numbers, 125 shares provides 20 traps (in total) and should it be required investment in shares would entitle additional traps. - Set a maximum of 30 traps. - I cannot support this option unless legislation is written such that 10 traps for 125 shares is the very minimum basic	- Set trap numbers but with unlimited quota. - The soft option or less impact option would be option 2 and the harder option could be introduced at a later date say 5 years, this would guarantee that the endorsement price would be forced down as the result of keeping the shares dormant (now) would be too expensive for the fishermen to keep dormant.

Linkage options	Modifications suggested by respondents	Alternatives suggested by respondents
	block of trap numbers. The number of traps per 125 shares should be able to be varied under a TAC committee assessing the biological sustainability of the stock, as long as it never goes below 10 per 125 share endorsement. At present there are no concerns about stock sustainability and I except the number of traps per 125 share endorsement would go up at the first review of the fishery, through the TAC committee, to a number more like 15-20 traps. A large number of traps is allowed in every other state fishery for mud crabs in Australia.	
Option 3: Catch quota regime	Quota will work better if minimum shares is 150 or more (as with Lobster).	

Alternative combinations of the linkage options presented were also suggested, including:

- Increase min shareholding to 150 plus catch quota regime (ITQ on blue swimmer only). A tradable trap regime could also accompany this option.
- Increase min shareholding to 150 plus catch quota regime. A tradable trap regime could also accompany this option.

5.3.5 Responses to other specific feedback sought in the options paper

State-wide or regional allocation of catch quota

Fishers had the opportunity to comment on whether they thought catch quota should be allocated on a state-wide or regional basis and why. Twenty-eight respondents commented; 21 (75%) were in support of a regional allocation and seven (25%) were in support of a state-wide allocation.

Table 18 lists the reasons provided by respondents as to why they supported either a state-wide or regional allocation of catch quota.

Table 18: Supporting statements with regard to preferences for state or regional allocations of quota

Reasons for support of regional allocation	Reasons for support of state-wide allocation
• Fishing is different between regions, different methods, different species and different work effort. • Support regional quota, overfishing/sustainability reasons. State-wide allocation of quota could lead to overfishing of one estuary. • State-wide allocation could see an imbalance between estuaries with quota taken and estuaries being overfished. • Unfair to some regions if allocation is made state-wide. My business would become unviable if I was allocated state-wide quota. Large variation in regional allocations. • Eels are a species that stay regional and do not move to other regions, therefore quota should also be regional. • Supports regional allocation of quota, because purchase price of the business is a reflection of the amount of crab catch in that region (regions capacity) and I do not want less than that. • State-wide management of mud crabs would result in effort from other regions potentially moving north and into Region 1, further dissipating potential profits (thereby decreasing viability). Also, the uneven distribution of the stock means the species (mud crab) is not suitable for state-wide management. • Get rid of fishers working on historical permits in neighbouring regions. It is not fair for those restricted to one region. No concessional licence in estuary general. All fishers should be restricted to working in their own zones.	• If we can't trade quota between regions, how can we take advantage of the good years by leasing more quota when stock is abundant in your region? Or lease it out to pay your fees when stock is more abundant in another region. • Quota should be allocated state-wide as Region 5 is not legally allowed to run as many traps as region 4, artificially giving region 4 fishers an unfair advantage in catch. • Support consistency in rules between regions. The reform should remove variations in rules between zones (compare region 3 and 4). These are unfair and due to people on committees etc. working with Government. • State-wide quota allocation is a more uniform way to manage the states fishery. • State-wide allocation would make more quota available to more people.

5.3.6 Responses to potential changes to current restrictions

Fishers had the opportunity to comment on a list of potential changes to current restrictions as part of the overall reform package. Twenty-nine respondents commented.

The potential change to allow the taking of mud crabs in fish traps received 22 responses; 16 (73%) were opposed to the proposal.

The number of respondents supporting and opposing the potential changes to current restrictions are provided in Table 19.

Table 19: Numbers of respondents who indicated either support or opposition to potential changes to current restrictions

Potential change to current restrictions	Number support	Number oppose
Maximum shareholdings: The current default maximum shareholding of 40% of the shares in the fishery is ineffective and proposed to be removed on the basis that there is negligible risk of a monopoly in the relatively small-scale fisheries in NSW.	1	8
Foreign ownership restrictions: Remove the restrictions on foreign ownership of shares on the basis that there is negligible risk of significant foreign ownership of the relatively small-scale fisheries in NSW.	1	9
Registering 'eligible fishers': The requirement to register 'eligible fishers' against fishing businesses is being removed as part of the development of FishOnline, which will automatically check that nominated fishers are already licensed.	2	0
Boat licences: Remove the requirement to licence boats in the EGF, saving future licence fees.	5	3
Closed water permits: Provide for carriage of stowed commercial fishing gear through closed waters (currently authorised via permit).	3	0
Mud crab trapping: Allow taking of fish in a mud crab trap.	11	1
Fish trap: Allow taking of mud crabs in a fish trap.	6	16
Blue swimmer crabs: Increase minimum size of blue swimmer crab to 6.5 cm to increase the protection of egg production from approximately 14% to 40%.	3	0
Crewing arrangements: Enable a fisher that holds the minimum shareholding requirement to be assisted by any fisher that holds a commercial fishing license. This means that the fisher providing the assistance has to hold a commercial fishing license but does not have to hold an eel trapping, mud crab trapping or trapping endorsement.	4	0

Respondents provided the following comments on the potential changes:

- *"LFB's currently play a control role on effort against certain species and activities."*
- *"Access to mud crabs by other share class holders is not permitted. This is not acceptable. I have invested heavily into this share class and will not accept my rights being eroded by you providing access to my share class by other share classes. This directly erodes my rights to the primary target species in my share class. If the Department has an issue with endorsement of the no take of mud crabs in fish traps, then deal with that issue. Do not erode my rights because you can't enforce the rules. Make the fines heavier for those breaking the rules and enforce them better."*
- *"Agree with the taking of mud crabs in a fish trap."*
- *"Disagree with the taking of mud crabs in a fish trap. Landing crab in fish traps devalues crab trapping shares."*
- *"No support for fish trappers targeting mud crabs, economic reasons. Allowing fish trappers to target mud crabs will dissipate profits when returns are high (opposite to reform objectives)."*
- *"Prefer the use of multi-purpose traps."*

- “No support for fish trappers targeting mud crabs, resource sharing reasons. Allowing fish trappers to target mud crabs will affect the resource allocation between recreational and commercial fishers.”
- “No support for fish trappers targeting mud crabs, social reasons. Allowing fish trappers to target mud crabs will further damage the social licence to target mud crabs.”
- “No support for removing fish trapping restrictions, conflict reasons. Impact on crabbing endorsement holders - removing restrictions on fish trapping will be disastrous for crabbing endorsement holders. Removing restrictions on fish trapping will antagonise the recreational fishing sector.”
- “No support for taking mud crabs unless endorsed. Fishers shouldn’t be able to land mud crab unless you have a mud crabbing endorsement.”
- “No support for fish trappers to take mud crabs, sustainability reasons. Allowing fish trappers to target mud crabs will dramatically increase effort.”
- “Escape panels should be compulsory in estuary fish traps.”
- “All species without a size limit should be kept in a crab trap (e.g. octopus).”
- “Disagree with allowing the take of fish in a mud crab trap. Landing fish in crab traps devalues fish trapping shares.”
- “Increase the size limit for mud crab, up to 8.5cm to 10cm, this will double the weight of the crab for sale.”

5.3.7 Responses to potential changes to existing fishing closures

Fishers had the opportunity to comment on the list of EGF trapping closures identified by shareholders for potential amendment. A limited number of comments were received.

The number of respondents supporting and opposing each of the potential changes is listed in Table 20.

Table 20: Feedback on potential amendments relating to fishing closures

EG trapping fishing closure (applying to all species of fish, and all year unless specified)	Number support	Number oppose
1. Richmond River - The whole of the tidal waters of the Richmond River and tributaries (including all the waters of the Wilson River), up stream from the road bridge at Woodburn. Methods of fishing prohibited - Any method involving the use of a trap, other than an eel trap. Proposal - Remove the restriction. (Note: closures in some specific areas will still apply).	2	0
2. Evans River - The waters of the Evans River from a line drawn between the most northerly points of the eastern and western breakwaters at the entrance of the Evans River, upstream to its source and junction with Rocky Mouth Creek. Methods of fishing prohibited - Any method involving the use of a net or a trap, other than the hand-hauled prawn net, push or scissors net (prawns), dip or scoop net (prawns), landing net and hoop or lift net. Proposal - Up stream from the road bridge, authorise the use of crab and fish traps.	2	0
3. Clarence River - The whole of the waters of the Clarence River, other than the waters bounded by a line drawn from the downstream side of the most easterly opening in Middle Wall across to the western extremity of Moriarty’s Wall, then upstream to a wooden peg marked “FT1” located at the upstream end of the training wall which runs adjacent to Spencer Street boat ramp at Iluka, then westerly to the NSW Maritime Lead beacon number 037 located adjacent to the south eastern extremity of Goodwood Island, then upstream to the NSW Maritime Lead beacon number 041, then in a line south westerly to the north western extremity of Freeburn Island, then downstream along the north eastern side of Freeburn Island and north eastern side of Middle Training Wall to the point of commencement. Methods of fishing prohibited - Any method involving the use of a fish trap. Period - The period from September in any year to April in the next year (both months inclusive). Proposal - Remove the restriction. (Note: closures in some specific areas will still apply).	4	2
4. Clarence River - The whole of the waters of the Clarence River together with all its lakes, lagoons, inlets, channels, creeks and tributaries, upstream of a line drawn across the River from the boat ramp adjacent to the Maclean Court House (the Old Ashby Ferry crossing)..	4	0

EG trapping fishing closure (applying to all species of fish, and all year unless specified)	Number support	Number oppose
Methods of fishing prohibited - Any method involving the use of a crab trap. Proposal - Remove the restriction. (Note: closures in some specific areas will still apply).		
5. Warrell Creek - The whole of the waters of that part of Warrell Creek together with all its creeks and tributaries from the Scotts Head boat ramp adjacent to Warrell Creek reserve upstream to the Warrell Creek Rail Bridge. Methods of fishing prohibited - Any method involving the use of a trap (other than an eel trap). Proposal - Remove the restriction.	2	0
6. Hunter River - The whole of the waters of the Hunter River and its tributaries, from the Fitzgerald Bridge at Raymond Terrace, upstream to the junction of the Hunter and Paterson Rivers. Methods of fishing prohibited - Any method involving the use of a net or trap, other than the meshing net not exceeding 200 metres in length used by the method of splashing, landing net and dip or scoop net (prawns). Proposal - Remove all traps from prohibited methods.	2	0
7. Wagonga Inlet - The whole of the waters of Wagonga Inlet and its tributaries westward of a line drawn north-west across the entrance from the northernmost extremity of Wagonga Head. Methods of fishing prohibited - Any method involving the use of a net or trap, other than the landing net and dip or scoop net (prawns). Proposal - Up stream from the road bridge, authorise the use of all traps.	3	0

Respondents provided the following comments on the potential changes:

- *"I support cutting/standardising regulations as it is essential to the efficient operation of commercial fisheries."*
- *"I would like to see weekend closures introduced in all estuary fisheries this would give areas a rest and reduce the number of days fishers are working."*
- *"I support gear and closure changes in my region."*
- *"All fishers in all regions should have the same seasonal access (all year), 4 months in Region 2 is unviable."*
- *"Changes will spread out effort over the river and lets fishers access crabs in dry years."*
- *"I support open dams to eel fishing, eels migrate to dams but not all make it back to the river. Eels migrate inland and become protected - these areas are unworkable."*
- *"Allow the use of GTR fuses to hold floats under in areas of high water traffic to stop conflict with other users."*
- *"We support use of traps where hoops nets can be used. They are more environmentally and user friendly than hoop nets."*

SNAPSHOT– Estuary Prawn Trawl Fishery

- 153 shareholders
- 56 (37%) lodged a submission
- 43 (28%) commented on options

Options presented

Option 1: Managing endorsement numbers through setting of a two-stage minimum shareholding complete by 1 July 2016.

Option 2: Initial increase in minimum shareholdings before transitioning to a net length days regime by 2016.

Responses in brief

Most respondents who commented on options indicated that all options were unworkable.

Three Clarence River shareholders (out of 19 who commented on options) indicated that Option 1 was most satisfactory and one indicated that Option 2 was most satisfactory.

Two Hunter River shareholders (out of 6) indicated that Option 1 was most satisfactory and two indicated that Option 2 was most satisfactory/ satisfactory.

One (out of 22) Hawkesbury River shareholders indicated that Option 1 was most satisfactory and three indicated that Option 2 was satisfactory.

Very few responded to potential changes to current restrictions.

5.4 Estuary Prawn Trawl Fishery

Two share linkage options were presented for comment.

A total of 60 submissions were received relating to the Estuary Prawn Trawl Fishery (EPTF). Fifty six of these were from shareholders, representing 37% (56/153) of shareholders and 38% of FBs (61/162) that hold shares in the fishery.

Two submissions were received from nominated fishers, one was from the Professional Fisherman's Association (PFA), and one was from an anonymous source.

Broken down by share class, 29 submissions related to the Clarence River (CR), 26 related to Hawkesbury River (HAR) and 9 related to the Hunter River (HUR). Note that some fishers lodged submissions with comments relating to more than one share class.

5.4.1 Summary of support and opposition for the share linkage options

Of the 60 respondents, 46 (77%) including the two nominated fishers and the PFA included comments specific to the linkage options presented.

Most indicated that both options presented were unworkable (Table 21).

Table 21: Summary of respondents' level of satisfaction with the linkage options presented

Estuary Prawn Trawl Fishery	Most satisfactory	Satisfactory	Least satisfactory	Unworkable	Total
Clarence River (19 of 29 submissions commented on options)					
Option 1: Endorsement numbers	3	0	1	15 (78%)	19
Option 2: Net length day regime	1	0	2	15 (83%)	18
Hunter River (6 of 9 submissions commented on options)					
Option 1: Endorsement numbers	2	0	0	3 (60%)	5
Option 2: Net length day regime	1	1	1	3 (50%)	6
Hawkesbury River (22 of 26 submissions commented on options)					
Option 1: Endorsement numbers	1	0	2	18 (85%)	21
Option 2: Net length day regime	0	3	1	18 (82%)	22

5.4.2 Reasons linkage options were considered least satisfactory or unworkable

While the majority indicated that options were not supported, being either unworkable or needing improvement, very few reasons specific to the options presented were provided. Those that were are included in Table 22.

A range of reasons, not specific to a particular option, were also provided as to why the options were not supported in general; these are illustrated in Figure 7. Generally the proposed ITCALs being too low, the initial investment cost and unknown future management costs were of greatest concern for most. Broader comments on the reform program in general are summarised in Section 6 of this report.

Table 22: Specific reasons why respondents had concerns with linkage options

Linkage Options	Reasoning specific to linkage options
Option 1: Endorsement numbers	• Minimum shareholding are too high. • The EPTF considers that it already has a strong linkage to shares. • Availability of shares is a problem. • There is no security over the minimum, it may increase again. • We will be forced to invest in an option that has no guarantee that minimum shareholdings will not be raised in the future. • At the time the proposed shareholding levels were determined none of the

Linkage Options	Reasoning specific to linkage options
Option 2: Min shares and net length days regime	Hawkesbury fishers held enough shares to conduct their EPTF business when the initial increase occurs in July 2015. • The number of desired endorsements has not been agreed, and the majority of EPTF-HAR are clear that the current level of endorsements is the desired level.
	• The additional burden and complexity of reporting net length and days fished is unfair, costly to fishers and provides no protection to fish viability. • Option 2 imposes more red tape and complexity for fishers placing extra burden on fishers without any advantage. • No industry can maintain viability if barriers are placed to prevent new entrants to that industry. Option 2 specifically discriminates against new entrants which will result in reduced innovations and vigour which is detrimental to the long term sustainability of the NSW fishing industry. • The current status quo of the EPTF-HAR is not impacting on the quality and quantity of catch and there is in no negative impact due to perceived latent effort. • Impractical for a fisher to provide a pre-fishing report the day before as the resource is difficult to know where they are at any one time. The need to advise when a particular net is going to be used is impractical as the fisher won't know which will be used on the day. • With reduced days allocated to those who are active, fishers are forced to worked longer hours for the days they do have. This will cause safety issues as the department is forcing fishers to put themselves at risk. • Fishers will be forced to work in hazardous conditions. Working in isolated waters alone, handling equipment that may be heavier than acceptable that may cause injury. • The level of allocation erodes the current activity level of fishers and requires a significant level of investment for no direct return. • For net length days regime there are not enough shares to maintain current access in the Hawkesbury River.

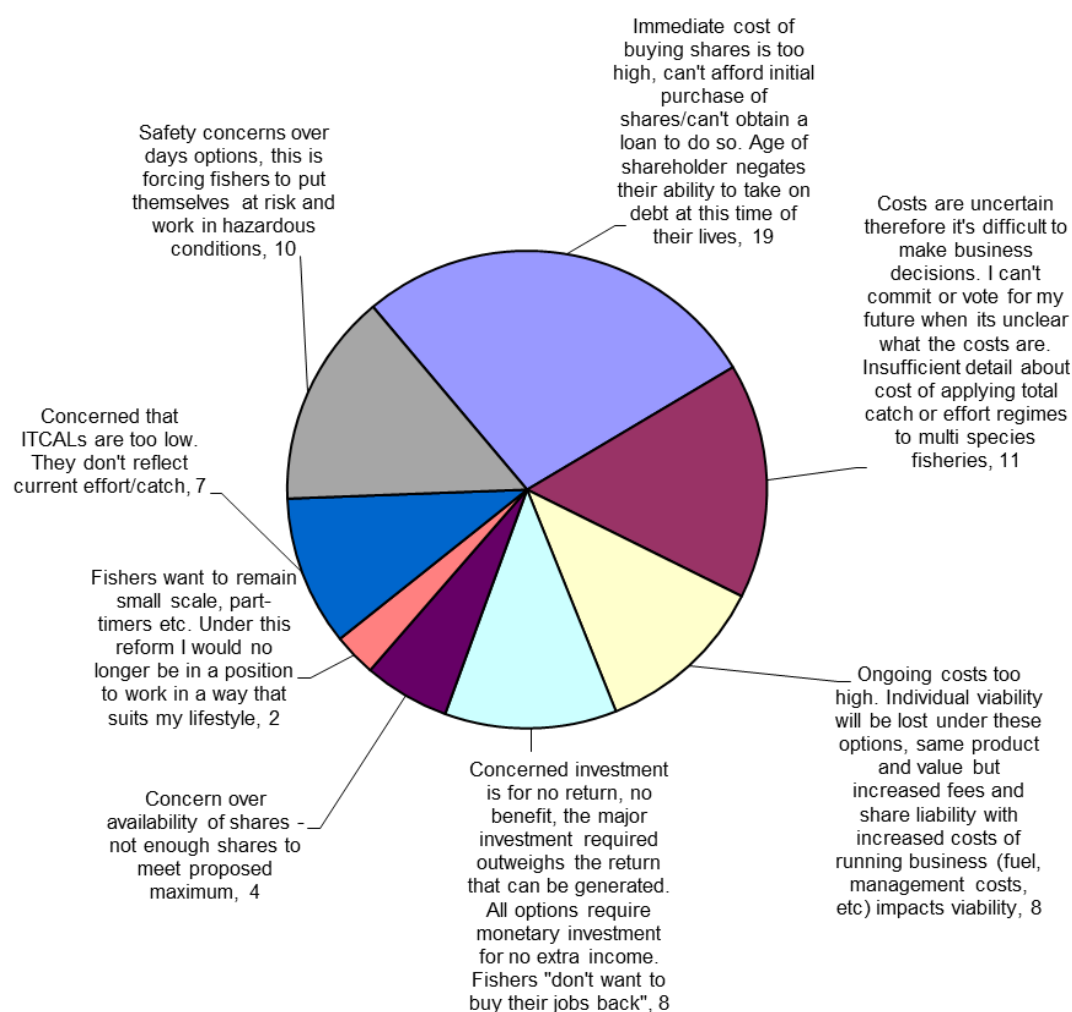


Figure 7: General reasons why respondents had concerns with the linkage options

5.4.3 Reasons linkage options were considered satisfactory

Where respondents indicated that one or more options were satisfactory or most satisfactory, they were also asked to provide an indication as to why.

Specific comments in support of options included:

- *"I do agree on lifting shares to 120 as I feel this will remove latent effort and make it more affordable for the fishermen who want to continue." EPTF-HUR*
- *Option 2 appears to be the best scenario as it requires less share purchase requirements and less likelihood of price hikes by sellers to meet the demand for those shares given the time constraints placed on operators to have additional shares." EPTF-HAR*
- *"I believe Option 2 to be a well thought out method and am surprisingly in agreement to this move." EPTF-HUR*
- *"Reporting mechanisms are an improved proposal." EPTF-HAR*
- *"Support the increase of shares to 149 by July 2016 in the Hunter River, this is a fair option for all of us."*

Seven respondents identified general reasons as to why options were considered satisfactory or most satisfactory, these are illustrated in Figure 8.

The most common reasons identified were that the options were considered to be workable, provide the most secure access rights and were most affordable.

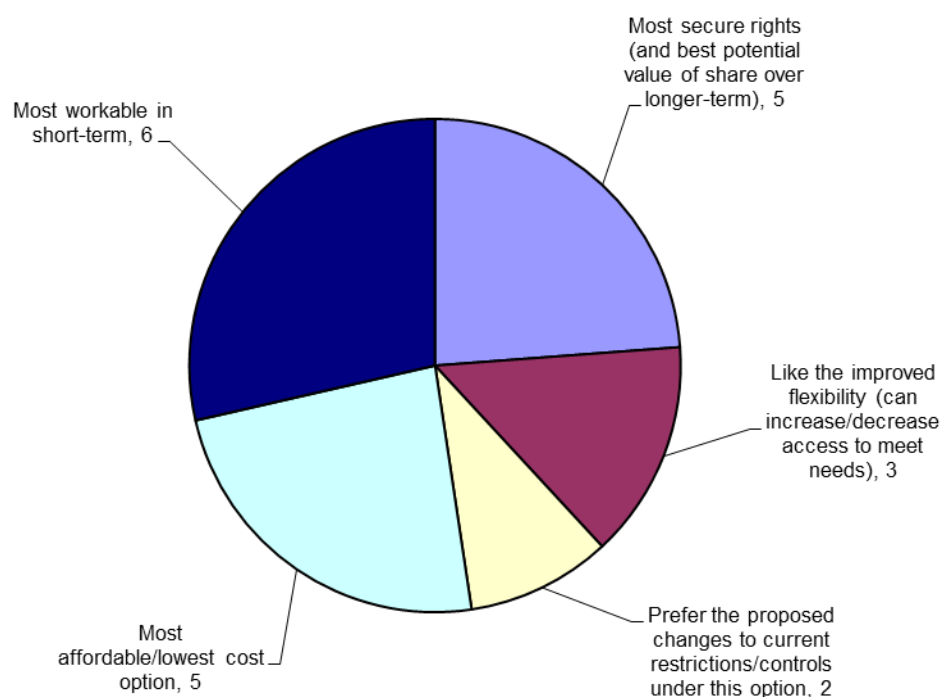


Figure 8: General reasons linkage options were considered most satisfactory or satisfactory

5.4.4 Alternative and modified options suggested by respondents

Where options were considered unworkable or needing improvement, a number of alternative or modified options were suggested by respondents. These are listed in Table 23.

Table 23: Alternatives and modifications to linkage options suggested by respondents

EPT Linkage Options	Modifications suggested by respondents	Alternatives suggested by respondents
Option 1: Endorsement numbers	Lifting minimum shares from 100 to 120, which will remove latent effort and will make it more affordable for the fisherman who wants to continue working (Hunter River).	Move from a share based structure to a simple and equal endorsement with no provision for holding more than one share in any particular fishery for any single fishing business. This will allow for diversity and flexibility for fishing businesses without introducing concentration and unfair advantage (Hawkesbury River).
Option 2: Net length days	- Net length hours to be transferable, leased quota between other endorsements holding boats (Hunter River). - One share equal one day (Clarence River). - The fishery is linked to current access rights. For example, Clarence access of 15 m of net and 150 days for 150 shares, Hawkesbury is up to 22 m and ability to work every day but weekends and public holidays (all estuaries).	NIL

5.4.5 Responses to other specific feedback sought in the options paper

Hunter River

Fishers were asked to provide feedback on a proposal to change the school prawn count applying to the Hunter River from 180 school prawns per ½ kilogram to 150 per ½ kilogram to enhance yield and economic returns.

Five shareholders responded; three were in support (all Hunter River shareholders) and two opposed the proposal (one Hawkesbury and one Hunter River respondent). Other comments included:

- *“Reduce the prawn count further to 130 per ½ kilogram, which was the original prawn count, which will enhance yield, economic returns and protect small prawns.”*
- *“No size on school prawns in NSW prawn fisheries; economics will dictate to harvest or not to harvest.”*

5.4.6 Responses to potential changes to current restrictions

Each of the reform options presented was coupled with potential changes to current restrictions, forming the overall reform package for consideration.

Fishers were asked to provide feedback on these. A summary of those who were in support and opposition of each of the potential changes is identified in Appendix 5.

Examples of specific comments made in support or opposition are also included below.

Foreign ownership

In response to the potential to remove the restrictions on foreign ownership of shares, three respondents, two from Hawkesbury and one from the PFA, all indicated no support, for example:

- *“If the restrictions of foreign ownership is lifted not only are the fishers in danger of big business buying up their industry rights, we are not in support of allowing foreign nationals holding fishing business licences and endorsements.”*

Boat Licences

In response to the potential to remove the requirement for boats less than 10 metres in length to be licensed when used in the EPTF, only one specific response was received in support of the proposal. Other comments in regard to boat licensing included:

- *“Boats larger than 10 m should not be allowed to work within the Hunter River.” EPTF-HAR*
- *“The elimination of LFB endorsements is a direct financial loss to all current LFB holders. The boat size restriction is the basis by which I planned my business investment and will mean that my current investment in building a purpose built vessel is wasted.” EPTF-HAR*
- *“Remove LFB vessel length restrictions but retain licence regime.”*

Net restrictions (headline length and multiple gear)

In response to potential changes to allowing for the use of single, double, triple and quad gear, the following three responses were received:

- *“Multiple gear is an unwarranted complication and expense. It is impractical in the tight fishing shots available on the Hawkesbury River. Multiple gear works well for large trawlers operating offshore or in wide river deltas but is totally unsuitable for the Hawkesbury. Multiple gear increases the damage to vulnerable river bottom and river weed beds, exacerbating environmental damage and impacting sustainably.”*

- *“Estuary Prawn Trawl (Clarence River) should be able to use triple gear as do Ocean Prawn Trawl, net size suggested 3 x 4 fathom or if twin gear remains 2 x 6 fathoms.”*
- The proposed changes associated with Option 2, the opportunity to use additional headline with twin, triple or quad gear, *“are not workable in the Hawkesbury River from Juno Point westward due to the width of the river, as well as variations in tides and depth....In the Hawkesbury the maximum number of nets that can be efficiently used is two.”*
- *“I am sceptical to a smaller mesh size allowable as we the fishermen will eventually gain advantage over this allowance, once we do we will have the whole River converted to this smaller mesh which may be of harmful in the long-term.” EPTF-HUR*

In response to the potential to increase the maximum headline lengths applying in the estuaries, two responses were received:

- *“If larger nets required, suggest maximum length of 15 m in the Hawkesbury River.”*
- *“Maintain an 11 m net headline length and existing mesh size in the Hawkesbury fishery.”*

A related suggestion was also made, that the 40 mm diamond cod-end be permitted in the Hunter River.

Hunter byproduct list

In response to the potential to add a number of species to the byproduct list (species taken incidentally while targeting prawns), one comment was received:

- *“Bycatch in the Hunter River to be extended to 4 kg per day for Bream, Flathead, Crabs, Whiting and Mullet for self-consumption only, not sale (noting also that this rarely occurs in the Hunter).”*

Hawkesbury seasonal arrangements/closures

Although no changes to the seasonal arrangements applying to each estuary were proposed, several comments were received relating to the Hawkesbury River seasonal arrangements/closures:

- *“The EPTF-HAR is currently managed by a very workable and sustainable closure regime. Weekend and public holiday closures is an effective control on overfishing and catch records over the past 20 years, I supports this.”*
- *“Do not extend any closure times for any area of the Hawkesbury fishery.”*
- *“Support keeping seasonal closures as existing.”*
- *“Some current closures should be reopened for Hawkesbury fisheries” – although none were specified.*
- *“A more sensible approach would be a wintertime closure like the Hunter and Clarence.” EPTF-HAR*

Hunter seasonal arrangements/closures

Although no changes to the seasonal arrangements applying to each estuary were proposed, one comment was received relating to the Hunter River seasonal arrangements/ closures:

- *“Hunter River prawn season should be opened 1 December and closed last working day of May. Hours and days fished to remain as existing.”*

SNAPSHOT – Ocean Trawl Fishery

- 184 shareholders
- 71 (39%) lodged submissions
- 68 (37%) commented on options

Options presented

Option 1: Managing endorsement numbers through setting of a two-stage minimum shareholding complete by 1 July 2016.

Option 2: Initial increase in minimum shareholdings before transitioning to a “hull unit days” regime by 2016 (not applicable to deepwater prawn sector).

Optional extra: Catch quotas for selected species.

Responses in brief

A total of 77 submissions were received relating to the Ocean Trawl Fishery. 68 of these commented on the options presented.

More than 70% of respondents indicated that all options were unworkable. The main reasons related to the proposed ITCALs being too low resulting in less quota for many than would be desirable, initial investment costs and unknown (or risk of increased) future management costs.

For the inshore prawn trawl and offshore prawn trawl sectors, of the respondents who indicated one or more options were workable, Option 2 was most frequently identified as “most satisfactory” and Option 1 was most frequently identified as “least satisfactory”.

For the northern fish trawl sector, numbers were too low to determine any preferences between Option 1 or 2.

In response to comparative weightings for shares and hull units for the purpose of allocating a new class of “effort shares”, nine of the 14 who commented indicated that shares were more important and should be weighted more heavily.

5.5 Ocean Trawl Fishery

Two primary linkage options were presented for comment: (a) managing endorsement numbers (using minimum shareholdings) and (b) an initial increase in minimum shareholdings before transitioning to a hull unit day regime (other than in the deepwater prawn sector).

Feedback was also sought on quota managing a small number of key species taken in the fishery, including whiting (eastern school and stout), flathead (bluespotted and tiger), silver trevally and gemfish.

A total of 77 submissions were received relating to the OTF, 71 (39%) of these were from Ocean Trawl shareholders (71/184), representing 35% of FBs in the fishery (71/203). Six additional submissions were received including five from nominated fishers and one from the Professional Fisherman's Association (PFA).

Broken down by share class, 15 submissions related to Deepwater Prawn Trawl (DPT), 72 related to Inshore Prawn Trawl (ISP), 23 related to Northern Fish Trawl (NFT) and 65 related to Offshore Prawn Trawl (OSP). Note that some fishers lodged submissions with comments relating to more than one share class.

5.5.1 Summary of support and opposition for the share linkage options

Sixty eight respondents (88%) included a response specific to the linkage options.

More than 70% of respondents indicated that one or both options were unworkable. Of those who indicated that one or more options were workable in the ISP and OSP share classes, Option 2 (initial minimum shareholding increase before transitioning to a hull unit day regime), was identified most frequently as most satisfactory (Table 24).

For both ISP and OSP, respondents identified most frequently that Option 1 was least satisfactory.

For the northern fish trawl sector, numbers were too low to determine any preferences between Option 1 or 2.

Little feedback was received in relation catch quota for selected species.

Table 24: Summary of respondents' level of satisfaction with the linkage options presented

Ocean Trawl Fishery	Most satisfactory	Satisfactory	Least satisfactory	Unworkable	Total
NFT (21 of 23 submissions commented on options)					
Option 1: Endorsement numbers	1	1	2	16	20
Option 2: Minimum share and hull unit days	2	0	3	16	21
ISP (62 of 72 submissions commented on options)					
Option 1: Endorsement numbers	3	0	14	43	60
Option 2: Minimum shares and hull unit days	11	2	7	42	62
OSP (57 of 65 submissions commented on options)					
Option 1: Endorsement numbers	3	0	12	40	55
Option 2: Minimum shares and hull unit days	9	2	7	39	57
DPT (14 of 15 submissions comments on options)					
Option 1: Endorsement numbers	1	0	2	11	14
OTF					

Ocean Trawl Fishery	Most satisfactory	Satisfactory	Least satisfactory	Unworkable	Total
Supplementary catch quota for selected species	0	0	0	0	0

5.5.2 Reasons linkage options were considered least satisfactory or unworkable

Of the respondents who indicated that they did not support the options, either being least satisfactory or unworkable, very few provided reasons as to why.

Reasons provided by respondents that were specific to a particular option are included in Table 25.

A range of reasons not specific to a particular option were also provided as to why options were not supported in general, these are illustrated in Figure 9.

Broader comments on the reform in general are summarised in Section 6 of this report.

Table 25: Specific reasons why respondents had concerns with linkage options

Linkage Options	Reasoning specific to linkage options provided by respondents
Option 1: Endorsement numbers	- Concern over availability of shares - this is unknown. - High demand for shares is created due to number of shares required, but not enough available to meet proposed maximums, can't afford number of shares required, finance isn't guaranteed, time frame is too short (and this forces price of shares up). - Buying extra shares doesn't increase viability - This will shift effort from one share class to another, i.e. from prawn trawl to fish trawl where an operator is multi-purpose. - PFA believes there should be greater allowance for the liquidity of shares, indicating that rather than 10% that was used this should be closer to 30-40%. - The target number of endorsements should be higher, the threat of latent effort activating does not impinge on the viability of the NFT, ISP, OSP share class, and these fishers need to retain the ability to switch between share classes to maintain their viability. Viability is impacted on more by fuel prices, weather, offshore condition, product prices, transport costs etc. - Ocean Trawl is multi-jurisdictional, need to be able to switch between share classes to remain viable and capitalise on good seasons for fish and prawns. Fishers can't afford to remain diversified under the minimums proposed. - Reject the reduction of NFT shareholders to 20, suggest the multi-endorsed nature of the fishery enables greater participation.
Option 2: Minimum shares and "hull unit days"	- Option 2 takes night qualification away from experienced fishers and spreads it amongst all shareholders, then those fishers who created the allocation need to buy it back. - Days are not workable because of costs associated with holding enough to remain diversified - Days cannot work for multipurpose industry, it forces fishers to gain maximum days in both endorsements to allow for variability of catch between years. Days are not workable with smaller fleets due to restrictions like weather, gear failure and strong currents. - Days quota may not work for fishers close to the border as if they choose to launch from NSW and fish in one of the bordering states waters they will lose a days quota. - The investment required to return to current levels of activity with no direct return on the investment is significant. - Days is not practical, weather including offshore conditions impact on the workability of days, large variation in days needed also occurs year to year. Days are unreliable given the range of conditions that impact any one day. - Forces fishers to work in bad weather.
Optional extra: Catch quotas for selected species	- Quota will never work for species in the Ocean Trawl fisheries. - Quota is not workable in a multi-purpose, multi-species industry. There is no trawl business that can be viable by catching only one target species, "dumping" will be encouraged to only keep the valued product (higher grade), and species that have quota will be dumped if the allocation has been exhausted for the species.

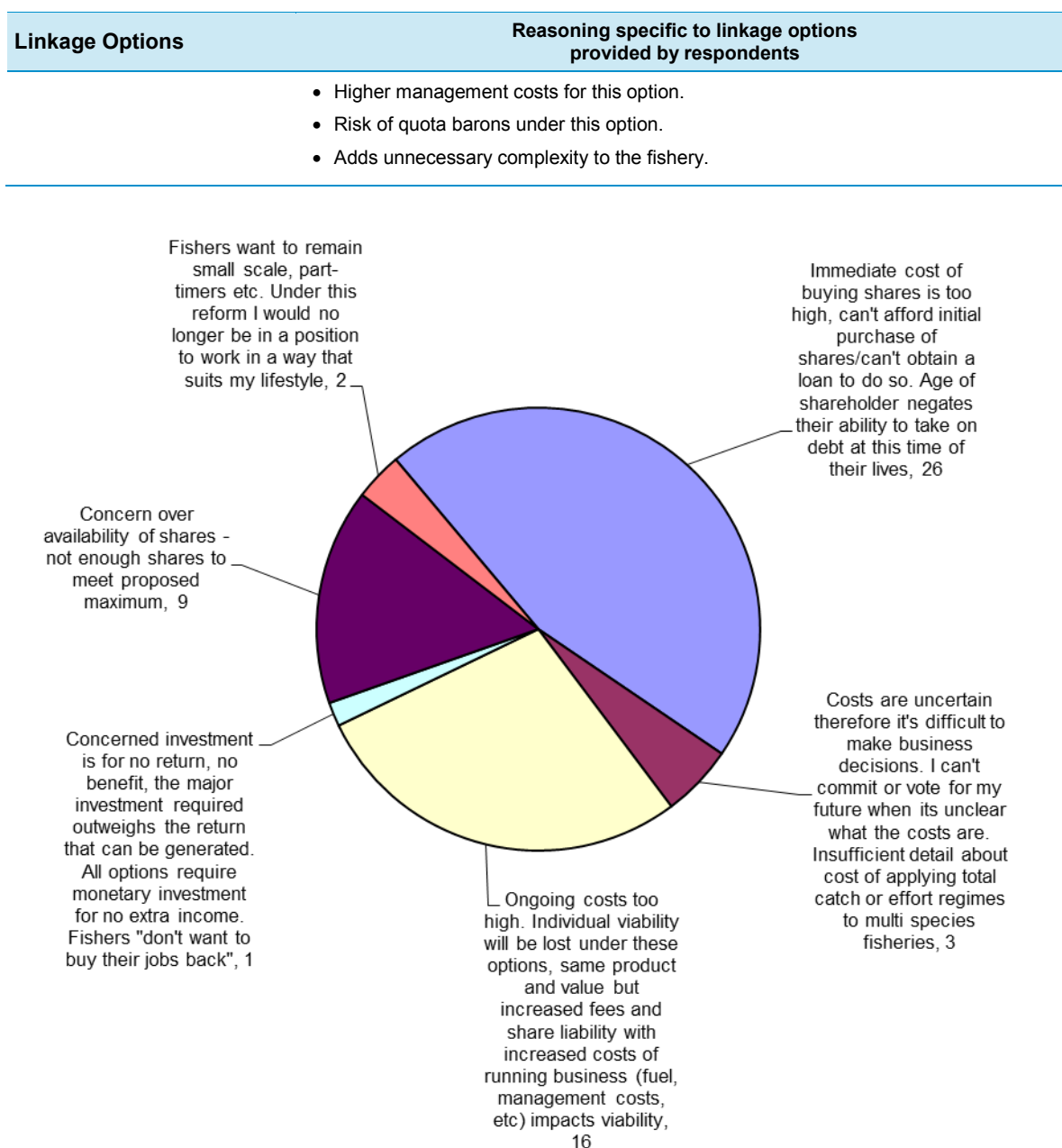


Figure 9: General reasons why respondents had concerns with the linkage options

5.5.3 Reasons linkage options were considered satisfactory

Where respondents indicated that one or more options were satisfactory or most satisfactory, they were also asked to provide an indication as to why.

Specific reasons provided in support of options included:

- Several respondents indicated that: *"A modified Option 1 will allow fishers and business owners to survive the structural adjustment to form a steady as we go approach and see how many fishers are able to stay in the industry."*
- "I can live with Option 2. The more you want to work the more shares you buy, the more fees. Something like the Lobster scheme."*
- Option 2 – *"If this was run like QLD it would be the least cost to fishers. When our nights were changes in QLD there was no cost to us and no nights lost. The VMS &*

log book entries is satisfactory way to monitor the boats position. So the formula of 2 nights per share gives each fisher nights without extra cost.”

- *“Minimum shares should rise above the original allocation so that all remaining fishers have contributed toward reducing endorsement numbers.”*
- *“I support option 1 and believe the maximum number of shares should be capped at 80, not 104. Option 1 is the least expensive and most flexible, it allows fishermen to decide when to work, when catches are at their best.”*

Nine respondents identified general reasons why options were considered satisfactory or most satisfactory; these are illustrated in Figure 10.

The most common reasons identified by respondents were that the options were considered to provide the most security (and best potential value of shares over the longer-term), be most affordable and/or most workable.

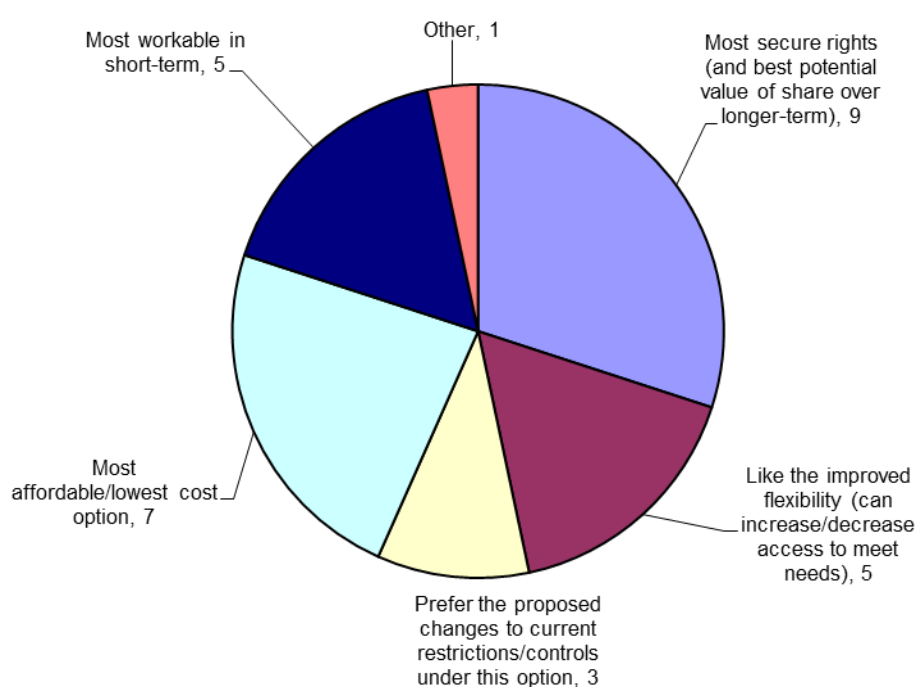


Figure 10: General reasons linkage options were considered most satisfactory or satisfactory

5.5.4 Alternative and modified options suggested by respondents

Where options were considered not supported (i.e. either unworkable or needing improvement), a number of alternative or modified options were suggested by respondents; these are listed in Table 26.

Table 26: Alternatives and modifications to linkage options suggested by respondents

OTF linkage options	Modifications suggested by respondents	Alternatives suggested by respondents
Option 1: Endorsement numbers	• Suggest minimum shareholdings of 40 for NFT, 65 for ISP and OSP and 20 for DPT. • Suggest forfeiting 25 shares with every 1 m increase in vessel length. • Raise the minimum number of shareholding to 43 shares over a two year period to reduce the number of endorsements from 39 to 35 for NFT (based on using 30% liquidity rather than 10% as proposed).	• Maybe an extra \$5 per amateur licence would fix issues over a period of time.

OTF linkage options	Modifications suggested by respondents	Alternatives suggested by respondents
	• Suggest minimum shareholding = 43 shares for NFT based on 30% liquidity. • Reduction of shares per holder 50 for NFT and 65 ISP/OSP. • Share linkage based on existing holdings i.e., 65-40. • Minimum shareholding to be increased to 140 shares by 30/6/2016. Those unable to operate at this level have the option to buy more shares and at no time in the future will minimum shares be lifted. • Total of 200 shares in five years. • Minimum shares increased to 65 over five years with access to low interest government loans similar to farmer assistance. • Proposal designed to help active shareholders stay in the Industry: a new share allocation on recent catch history to be calculated over the same period of time, in the same manner, as the original catch history. Then from 2006-2013 one share per month, to a maximum of 65 shares, to be equal with original allocation. • Commit to a 10 year endorsed plan with a commitment of no further increases required unless specific triggers are breached. • Inshore and offshore prawn trawl have equal number of endorsements. • Amalgamate the inshore and offshore prawn trawl fishery and shares. • Inshore and Offshore to be combined to reduce effort in either sectors.	
Option 2: Minimum shares and “hull unit days”	• Trawlers over 16 m need to acquire an additional 5 shares per metre. • Link to days if at least 2 days per share was offered and not within the short timeframe proposed. • Increase from one night to two nights or day per shareholding and limit number of fishing days to 130 for OSP and ISP. • One share per three nights in OTF. • One share equals 1.4 nights with a reduction to one share per night over five years. • Make one share equal one nights fishing effort. • Combine ISP and OSP shares. • Run like QLD - 2 fishing days per share. • Set ITCALs at 1 day per share by July 2015, 0.85 days per share by July 2016, and 0.69 days per share by July 2017. Maximum shares 210 or 21 max per month, with no minimum shareholding.	• Existing effort control to remain in place (maximum boat length and hull size), but net length and horsepower amalgamation still possible through surrendering of shares.

An alternative combination of the linkage options presented were also suggested:

- Minimum 65 shares for vessels under 15 m;
- Vessels over 15 m require extra 25 shares per metre per share class (inshore and offshore);
- Two years to achieve minimum (July 2016);
- Removal of hull units, engine units and net units (with a cap to be decided), possible options include: 23 m maximum physical vessel length, horsepower is irrelevant and boat length is the limitation on effort and net length is irrelevant, boat size and efficiency is the limitation on effort;

- Combine inshore and offshore shares (difficult to police, seasonality determines which is fished); and
- After 2016, no new endorsements created, with only 65 minimum shareholders able to purchase additional shares.

The respondents who suggest the above proposal indicated that *this would: remove latent effort; ensure viability; create some demand for shares (but not too much so that share prices stay down for those wishing to stay), future demand is created by fishers wanting to grow their business; management fee requirements would be less; create value for investment. In general, earnings would be proportional to vessel size, so to grow a business and go to a larger vessel you will need to invest in more shares. But, some operators will not need to grow their business and chose to keep their current lifestyle and minimum shareholding, e.g. live prawn fleet.*

Other comments included:

- A new share allocation on recent catch history to be calculated over the same period of time in the same manner as the original catch history from 2006-2013.
- Enable a mechanism for shares to be leased between licence holders.
- Shares can only be traded to other shareholders.
- If Prawn Trawl in the north of state wish to have a day's regime let them do so, but separate the fishery at Smokey Cape, and apply minimum shareholding to the multi-endorsed Fish Trawl and Prawn Trawl south of the line. No boats crossing this line.
- Put a cap on the maximum number of shares that can be held by fishers. Limit shares to 80 per holder.
- Maximum head rope length of 50 m.
- Max hull unit of 70.

5.5.5 Responses to other specific feedback sought in the options paper

New share classes

Fishers were asked to provide feedback on the details relating to “preliminary” and “final ITCALs” for the new hull unit day regime, if this option was pursued. The data presented in the options paper were based on the assumption that shares and hull units are equally important when creating the new effort shares. Fishers were asked: a) whether they would consider this assumption to be correct, or b) whether they consider shares to be more important than hull units, or c) whether hull units should be considered more important than shares.

Twenty-two respondents commented, fourteen (64%) indicating that shares were more important than hull units. Five indicated that shares and hull units were equally important, and three indicated that hull units were more important than shares (Table 27).

Table 27: Feedback on the importance of shares compared to hull units

In creating new shares, the following options were considered		Fishers who agreed
A	Shares and hull units being equally important	5
B	Shares were considered more important than hull units	14
C	Hull units being considered more important than shares	3

Fishers were also asked to provide a weighting of importance, given to shares and hull units where they indicated that one or the other was more important.

Of the respondents (14) who indicated shares were more important than hull units, the majority indicated that the shares should be weighted >60%. The average weighting indicated for shares was 82%. Responses included:

- 100% shares, 0% hull units (4 shareholders, 1 nominated fisher);
- 90% shares, 10% hull units (3 shareholders);
- 80% shares, 20% hull units (1 shareholder);
- 75% shares, 25% hull units (1 shareholder);
- 70% shares, 30% hull units (1 shareholder);
- 60% shares, 40% hull units (2 shareholders); and
- 30% shares, 70% hull units (1 shareholder).

5.5.6 Responses to potential changes to current restrictions

Each of the reform options presented was coupled with potential changes to current restrictions, forming the overall reform package for consideration.

Fishers had opportunity to comment on these, however few provided comment. A summary of those who were in support and opposition of each of the potential changes is identified in Appendix 6.

Examples of specific comments made in support or opposition are also included below.

One respondent indicated that proposed changes to maximum boat size, net size, ground chain size will not improve industry viability, reduce environmental impacts or community perception of the industry.

Another suggested that all restrictions be kept at sensible levels to reduce the chance of overfishing.

Maximum shareholdings

In response to the proposal to remove the current default maximum shareholding of 40% of the shares in the fishery, two responses were received, both opposed.

One of which indicated that a person/company should not hold more than 25% total shareholding within each share class.

Boat length

In response to the potential change from the fishery-wide maximum boat length of 20 m to 24.5 m, consistent with the maximum allowable length of the largest boat in the fishery, three responses were received; one agreed, one was opposed (keep 20 m) and the other suggested a 23 m maximum length.

Comments related to increasing maximum boat length included:

- *“The Newcastle live prawn market is viable for small fleet but not for larger vessels.”*
- *“Existing effort control should remain in place, but net length and horsepower amalgamation still possible through surrendering of shares.”*
- *“The idea of increasing net size, boat sizes and unlimited horsepower is ridiculous.”*

Juvenile King Prawn (JKP) closures

In response to the proposed removal of JKP closures, one response was received from an ISP shareholder indicating support, also suggesting that DPI should increase closures in king prawn fisheries to allow for larger size class and limit capture of soft shelled prawns.

Rubber discs on fish trawl ground gear

The proposal to increase the maximum diameter of rubber discs from 100 mm to 150 mm and lift the prohibition on rubber discs between Seal Rocks and Smoky Cape in the OTF received two responses from industry participants; both were opposed. One provided detailed advice as to why this should be the case, and the other supported this, both indicated that:

- The removal of rubber discs creates a high risk to ecosystems, including habitat loss and direct fish stock mortality. Impacts on the sustainability of lobster fisheries reliant on spawning stocks, also oppose the increase of rubber disc diameter from 100 mm to 150 mm, which will allow access to areas of increased reef relief resulting in a habitat destruction and mortality of fisheries resources.

Lobster for personal consumption

One industry group provided comment opposing the taking of lobsters for personal consumption, indicating: *“This could result in the potential of high volumes of lobsters being taken which may cause a decline in lobster fisheries allocation and subsequent devaluation of the lobster industry. This may increase the temptation of illegal fishing of lobsters in the ocean trawl industry....this will increase the interactions between OT and lobster fisheries, will increase trap-loss and may increase ghost fishing, and may threaten vulnerable marine species such as the rubberlip morwong, redfish, snapper and the jackass morwong.”*

SNAPSHOT – General netting component of Ocean Hauling Fishery

- 224 shareholders
- 80 (36%) lodged submissions
- 79 (35%) commented on options

Options presented

Option 1: Managing endorsement numbers, through setting of a minimum shareholding for participation, two stage implementation complete by 1 July 2016.

Option 2: Staged implementation of an effort quota (days) regime.

Additional Option: Block licence (crew) regime.

Additional Option: Catch quota (sea mullet)

Responses in brief

Of the 87 submissions, 79 included a response specific to the linkage options.

More than 80% of respondents indicated that one or both options were unworkable for both General Purpose Net and Ocean Haul General.

For these share classes, Option 1 was identified most frequently as most satisfactory, by those who indicated that one or more options were workable.

For Pilchard, Anchovy & Bait Net 15/16 respondents indicated that both options were unworkable, only one shareholder indicated that Option 1 was satisfactory.

Twenty three (39%) respondents who commented indicated support for implementing block licences for crew.

5.6 Ocean Hauling Fishery – General netting component

Two main options (managing endorsement numbers and an effort (days) quota) were presented for comment in the general netting component of the Ocean Hauling Fishery (OHF), along with an additional option relating to block licence for crew.

A total of 87 submissions were received relating to this component of the OHF. Eighty of these were from shareholders, representing 36% of shareholders (80/224), and 39% of businesses (105/266). Six submissions were from nominated fishers and one was from the Professional Fisherman's Association (PFA).

Broken down by share class, 64 submissions related to General Purpose Netting (GPN), 86 related to General Ocean Hauling (OHG) and 16 related to Pilchard, Anchovy and Bait Net (PABN). Note that some fishers lodged submissions with comments relating to more than one share class.

5.6.1 Summary of support and opposition for the share linkage options

Seventy nine respondents (91%) included a response specific to the linkage options. More than 80% of respondents indicated that one or both options were unworkable for both GPN and OHG (Table 28).

Option 1 (managing endorsement numbers), was identified most frequently as most satisfactory by those who indicated that one or more options were workable in the GPN and OHG share classes (Table 28).

For PABN, 15 (94%) respondents indicated that both options were unworkable, with only one shareholder indicating that option 1 was satisfactory.

Comments made on the additional options: block licence (crew) regime, and catch quota (sea mullet), are provided in section 5.6.5 below.

Overall many respondents wanted to “*leave arrangements as they are*” (see Section 6).

Table 28: Summary of respondents' level of satisfaction with the linkage options presented

OHF Fishery	Most satisfactory	Satisfactory	Least satisfactory	Unworkable	Total
GPN (62 of 64 submissions commented on options)					
Option 1: Endorsement numbers	6	3	3	50	62
Option 2: Staged implementation of an effort quota (days) regime	3	1	7	51	62
PABN (16 of 16 submissions commented on options)					
Option 1: Endorsement numbers	0	1	0	15	16
Option 2: Staged implementation of an effort quota (days) regime	0	0	1	15	16
OHG (79 of 87 submissions commented on options)					
Option 1: Endorsement numbers	6	2	4	66	78
Option 2: Staged implementation of an effort quota (days) regime	3	3	6	67	79

5.6.2 Reasons linkage options were considered least satisfactory or unworkable

Of the respondents who indicated that they did not support the options presented, few identified specific reasons as to why.

The few specific reasons provided as to why particular options were considered unworkable or needing improvement are included in Table 29.

A range of reasons, not specific to a particular option, were also provided as to why options were not supported in general, these are illustrated in Figure 11.

Broader comments on the reform program in general are summarised in Section 6 of this report.

Table 29: Specific reasons why respondents had concerns with linkage options

Ocean Hauling Fishery Linkage Options	Reasoning specific to linkage options
Option 1: Endorsement numbers	- Costs are too high, want to remain diversified, but the costs of all the options combined are too high to let me do this. - Will cost over \$100,000 to continue to work in the industry if option 1 is implemented. - In region 3 and 4 the stocks are sustainable and there are few latent GPN shares and the number of endorsements available in these regions are limited, leave it as it is. - This is the only option that does not hinder operations, but the proposed minimum is too high and does not provide any return on investment, it will force viable fishers to leave the fishery.
Option 2: Staged implementation of an effort quota (days) regime	- Day quota for ocean hauling fisheries is not appropriate due to the variability of catch opportunities. - Quotas are not workable for multi-species fisheries, there's not enough quota, it will also require higher management fees. - Will lose 10 months of work if option 2 is implemented. - This is impractical, much time is spent watching the water, weather etc. and so days are unreliable, fishers lack confidence in investing in days, there is also difficulty around enforcing this option. - Ocean hauling fisheries catch quota system not appropriate due to the significant number of latent endorsements.

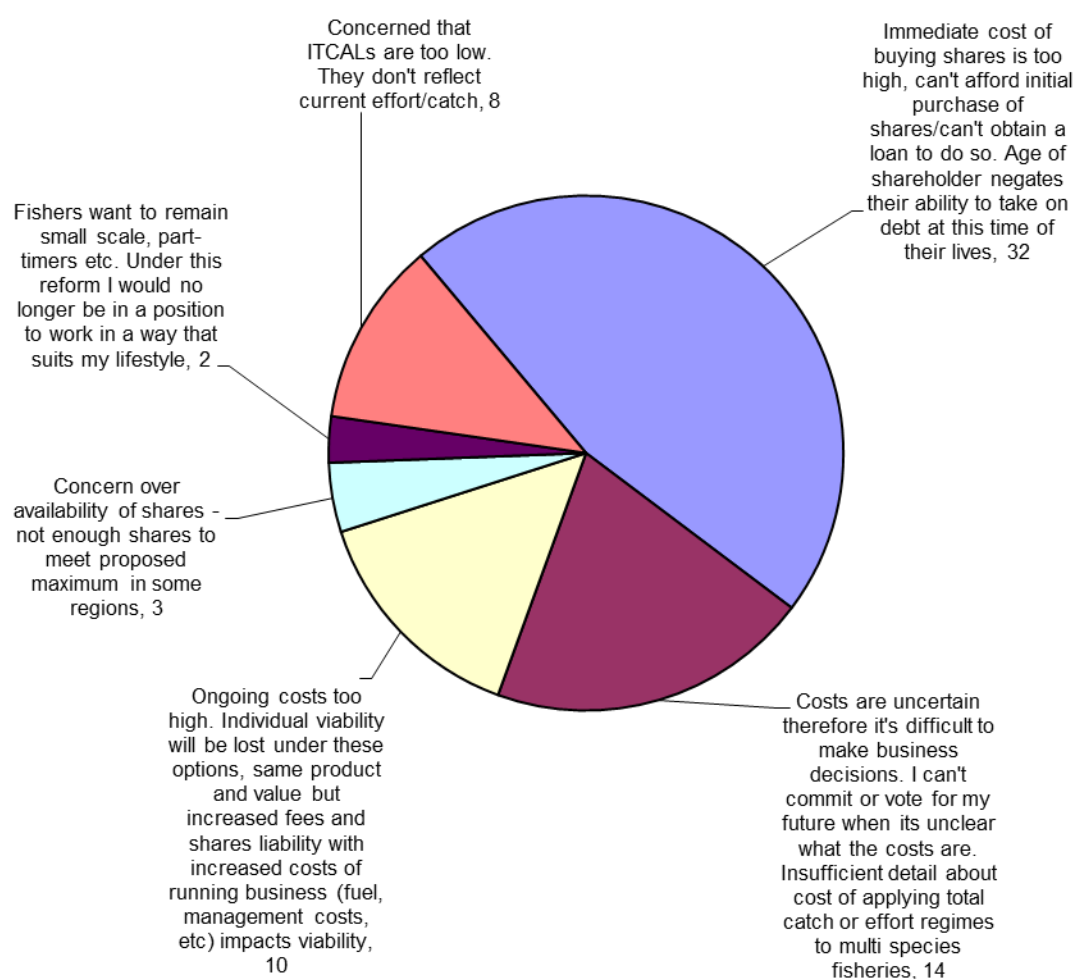


Figure 11: General reasons why respondents had concerns with the linkage options

5.6.3 Reasons linkage options were considered satisfactory or most satisfactory

Where respondents indicated that one or more options were satisfactory or most satisfactory, they were also asked to provide an indication as to why.

One respondent specifically indicated that: *“Option 1 is most satisfactory; this provides more flexibility on recruitment for mullet season”*. The PFA also indicated that: *“The majority of PFA members from PABN Region 2 are supportive of the proposed Option 1 - linkage to 10 shares as this is more practical than the current arrangement”*.

Thirteen respondents also provided general reasons as to why options were considered satisfactory or most satisfactory, these are illustrated in Figure 12.

The most common reasons identified by respondents were that the options were considered to be workable, affordable/lowest cost option, and viewed as providing the most secure rights (and best potential value of shares over the longer-term).

The PFA submission also indicated that a large number of members were willing to adopt Option 1 if it was not a large increase and was accompanied by a “combined crewing share” and the exit grant, but there was regional variation among members. Also that any additional investment in shares, above the minimum, should lead to the use of an additional crew person.

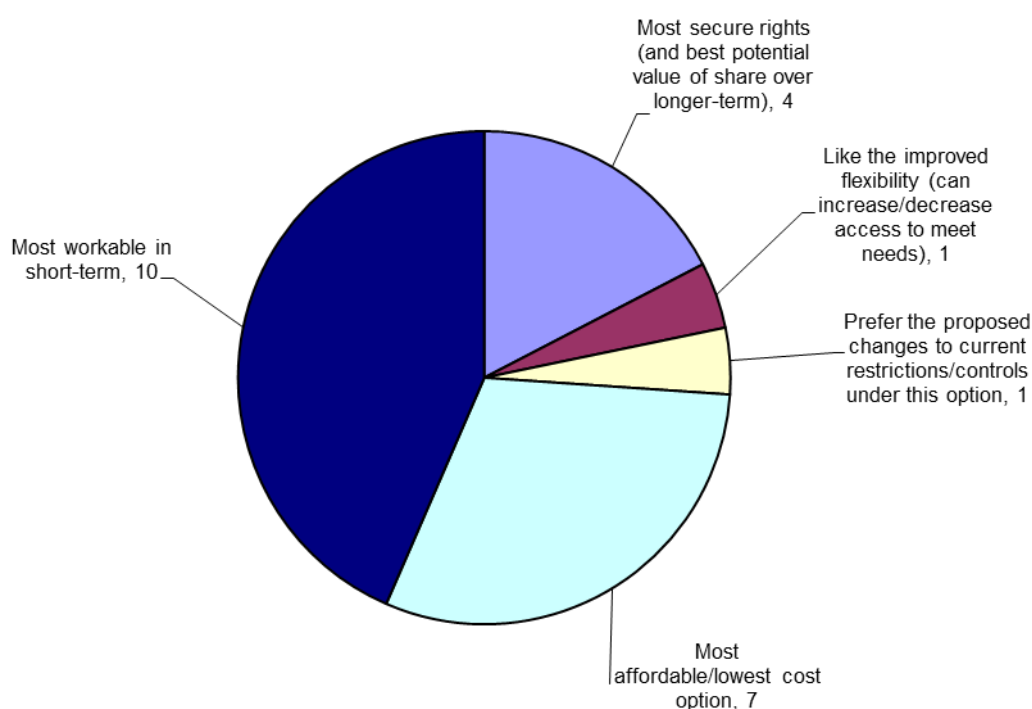


Figure 12: General reasons linkage options were considered most satisfactory or satisfactory

5.6.4 Alternative and modified options suggested by respondents

Where options were not supported (either considered unworkable or needing improvement), a number of alternative or modified options were suggested by respondents. These are listed in Table 30.

Table 30: Alternatives and modifications to linkage options suggested by respondents

Linkage Options	Modifications suggested by respondents	Alternatives suggested by respondents
Option 1: Endorsement numbers	- Leave minimum shareholdings at 40 shares. - Decrease maximum number of endorsements from 20 to 15 in Region 4. - If the required number of net shares is needed in the beach haul fishery to operate, it should be a combined total of shares, not an individual shareholding. If the individual shareholder was sick, injured or otherwise then a crew would not be able to operate. - The PFA indicated that a large number of members were willing to adopt option 1 if it was not a large increase, and was accompanied by the introduction of the "Combined Crewing Share" arrangement suggested, and the exit grant - however, this acceptance was also heavily dependent on the region.	NIL
Option 2: Effort quota (days) regime	NIL	NIL
Additional option: Block licence (crew)	- One crew for each 40 shares the endorsed owner holds, not 80 as proposed. - If a holder has enough shares, they should be able to have a block licence to have extra crew. Region 7 doesn't have many licence holders, and the ability to have an extra hand is invaluable.	NIL

The PFA also indicated that two areas proposed the possibility of linkage to areas within regions to create stronger ties and rights in their shares.

5.6.5 Responses to other specific feedback sought in the options paper

Maximum number of endorsements

Fishers were asked to indicate whether they thought the proposed maximum number of endorsements was appropriate and to provide reasoning.

Twenty responses were received (from the 87 individuals who made a submission), including three from nominated fishers. The majority (19/20) indicated that the numbers proposed for their region/share class were not appropriate. Reasons for this included:

- *“The proposed maximum number of endorsements in Region 5 is completely inappropriate, due to the large size it would result in the loss of seven cottage-based ocean hauling crew.”*
- *“The number of endorsements is not appropriate for General Ocean Hauling region 6” – similar statements made by 3 fishing business owners, with shares in GPN, OGH, PABN.*

One of the nominated fishers indicated that for PABN it was appropriate.

Block licences (crew)

Fishers were also asked to indicate whether they would be in support of implementing a block licence (crew) regime in combination with one of the main linkage options presented.

Of those who provided a response to the block licensing question (59/89 respondents across the three share classes), 23 (39%) were in support and 36 (61%) were in opposition. So, more respondents were in support of block licence crew than of the main options presented.

Several supporting and opposing statements were put forward; these are outlined below (Table 31).

Table 31: Supporting and opposing statements/justifications relating to block licence (crew)

Supporting statements/justification for block licence (crew)	Opposing statements/justification for block licence (crew)
• Supports linking shares to the use of unendorsed crew, will give flexibility in determining crew arrangements, creates opportunity for new fishers entering the industry. • Block licences should be allocated number of block persons per crew. • Conflict of large number of crews in no longer a problem, most beaches have at maximum of 1 or 2 crews during peak hauling season and they often work together now due to dwindling crew numbers. • Larger number of crew needed to handle large catches safely and efficiently to get premium quality product. • Linking shares to unendorsed crew helps improve the economic viability of fishing business. The proposed number of crew for relevant OHG shareholding levees set out in the option paper are appropriate. • Ocean Hauling General Ocean Hauling shares could be used as a link to the use of unendorsed crew. This would give Fishing Business owners flexibility in determining crewing arrangement, help improve the economic viability of Fishing Business owners and create an opportunity for potential new entrants to participate in the Ocean Hauling Fishery.	• Can't find enough crew to work the beach. Not enough crew on beach for industry to worry about. • Oppose block licensing because the right to ocean haul cost big money and pay continual fees yearly to fisheries for the right to ocean haul while another fisher does not have the same costs. • Block license will increase effort. • The use of unendorsed crew may enable large business and foreign shareholder to use own people which will impact small operators.

Additional shares for endorsed crew

Fishers were also asked to indicate whether the number of additional shares proposed for endorsed fishers (crew) were appropriate.

Of those who responded (17/89 individuals who hold shares in one or more of the OHG, PABN or GPN share classes), 12 (70%) including 11 businesses and one nominated fisher, indicated that the number was not appropriate for any of the share classes held; four businesses (30%) indicated that it was.

One statement was provided as to why unendorsed crew was not supported: *“The use of unendorsed crew may enable large business and foreign shareholder to use their own people which will impact small operators”* (1 FB, with shares in OHG and GPN).

Catch quota (se mullet)

An additional option of catch quota (sea mullet) was also presented in the options paper. Few comments were received:

- *“I feel that catch quota for species taken in this fishery is not appropriate. Catches are influenced by weather conditions and are difficult to predict. Compliance would also be an issue. If catch quota is to be pursued for any species that is taken in the Ocean Hauling Fishery new species based shares need to be issued that have regard to recent participation (ie catch).”*
- *“Basing catch quota on the current shares is not appropriate due to the significant number of endorsements that are fished little or not at all. Many endorsement holders just simply do not want to participate in this fishery.”*
- *“Quota is the best way to manage a single species fishery.”*
- *“PFA members reject the option presented for day and catch quota (sea mullet) linkage, these options reduce the current level of activity of viable fishers and do not provide any return on additional investment.”*
- *“Ocean hauling fisheries catch quota system not appropriate due to the significant number of latent endorsements.”*

5.6.6 Responses to potential changes to current restrictions

Each of the reform options presented was coupled with potential changes to current restrictions, forming the overall reform package for consideration.

Fishers had opportunity to provide comment. Very few provided comment (Appendix 7).

Foreign ownership

A total of six business owners (with OHG, GPN and PABN shares) and the PFA responded to the proposed change to the current foreign ownership restriction, all opposed any change.

Boat licences

One business owner (with GPN and OHG shares) responded, indicating support to remove the requirement to licence boats in the OHF.

Seasonal and weekend closures

Two fishing businesses with shares in OHG and GPN responded, indicating support for the removal of weekend and public holiday closures.

Tailor

One fishing business responded, indicating support for removal of the restriction applying to tailor, indicating: *“We do not like to catch tailor, and the closure should be lifted.”*

SNAPSHOT – Garfish hauling net component of Ocean Hauling Fishery

- 44 shareholders
- 20 (44%) lodged submissions
- 18 (41%) commented on options

Options presented

Option 1: Staged implementation of a catch quota regime, to be complete by 1 July 2016

Option 2: Staged implementation of an effort quota (days) regime, to be complete by 1 July 2016

Option 3: Managing endorsement numbers, through setting of a minimum shareholding for participation, two stage implementation complete by 1 July 2016

Responses in brief

Twenty-two submissions were received, 20 from shareholders.

Of those who commented on the options (18 shareholders, 1 nominated fisher and the PFA), the majority indicated that all options were unworkable, most attributing this to costs associated with purchasing additional shares.

Of those who indicated that one or more options were workable, Option 1 was most frequently identified as most satisfactory, followed by Option 2.

Option 3 was most frequently identified as least satisfactory.

Most respondents were opposed to the amalgamation of regional garfish shares into a single garfish hauling net share class.

5.7 Ocean Hauling Fishery – Garfish hauling net component

Three options were presented for comment in the garfish component of the Ocean Hauling Fishery (OHF).

The total number of submissions received relating to this share class was 22, 20 of which were from shareholders, one from the PFA and one from a nominated fisher.

The 20 shareholders who provided comment represent 45% of shareholders (20/44) and 43% of businesses (20/46).

5.7.1 Summary of support and opposition for the share linkage options

Twenty respondents who lodged a submission made comments specific to the linkage options presented.

Of those who commented on the options (18 shareholders, one nominated fisher and the PFA), the majority indicated that all options were unworkable, most attributing this to costs associated with purchasing additional shares (Table 32).

Of those who indicated that one or more options were workable, Option 1 was most frequently identified as most satisfactory, followed by Option 2.

Option 3 was most frequently identified as least satisfactory.

Table 32: Summary of respondents' level of satisfaction with the linkage options presented

Fishery	Most satisfactory	Satisfactory	Least satisfactory	Unworkable	Total
Garfish Netting (n=20 of 22 submissions commented on options)					
Option 1: Staged implementation of catch quota	4	1	1	14	20
Option 2: Staged implementation of effort quota	2	3	-	14	19
Option 3: Endorsement numbers	0	1	4	13	18

5.7.2 Reasons linkage options were considered least satisfactory or unworkable

Of the respondents who indicated that they did not support the options presented, none identified reasons specific to the workability of options presented.

However, a range of reasons (not specific to a particular option) were provided as to why options were not supported in general; these were largely related generally to costs and are illustrated in Figure 3.

The PFA, for example, raised concerns over the calculations for the garfish ITCAL, indicating that where catch is shared across crews, it is often reported against Estuary General and Handline and Hauling Crew share classes catch rather than the Ocean Haul share class. Similar concerns were raised over the target level of endorsements.

Broader comments on the reform program in general are summarised in Section 6 of this report.

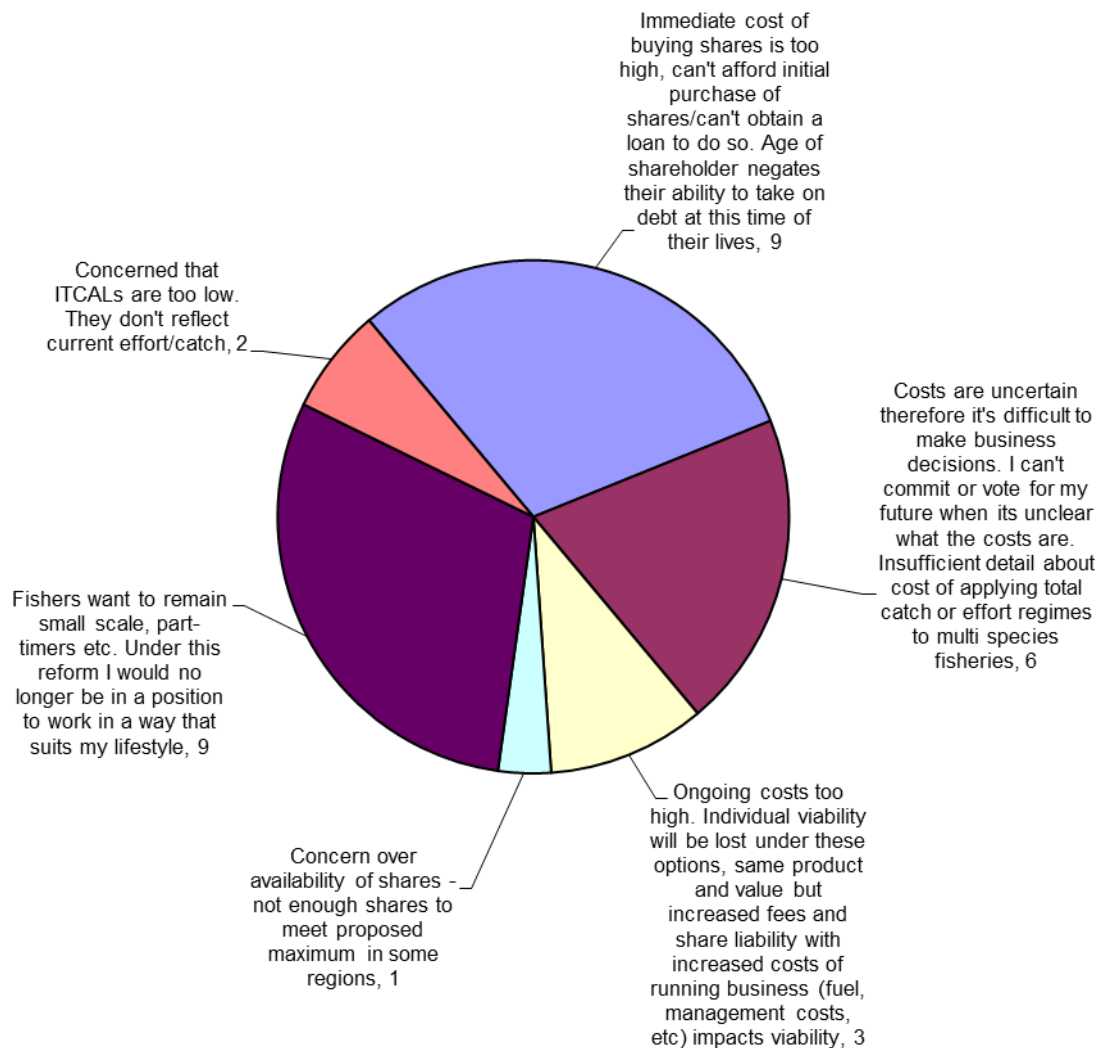


Figure 13: General reasons why respondents had concerns with the linkage options

5.7.3 Reasons linkage options were considered satisfactory

Where fishers indicated that one or more options were satisfactory or most satisfactory, they were also asked to provide an indication as to why.

Specific comments provided in support of particular options included:

- *“Quota is the best way to manage a single species fisheries particularly one that is in recovery and numbers are unknown.”*
- *“Consideration needs to be made for future recovery of stocks.”*
- *“Need to be aware of potentially high grading, incidental catch and look at over-catching with carry over/under options.”*
- *“Reporting for quota should be within 24 hours of landing.”*

Five respondents also provided general reasons as to why options were considered satisfactory or most satisfactory; these are illustrated in Figure 14.

The most common reasons identified by respondents were that the option was considered to provide the most secure rights (and best potential value of shares over the longer-term), provide flexibility (can adjust access to meet their needs), and restrictions to be removed under the options proposed.

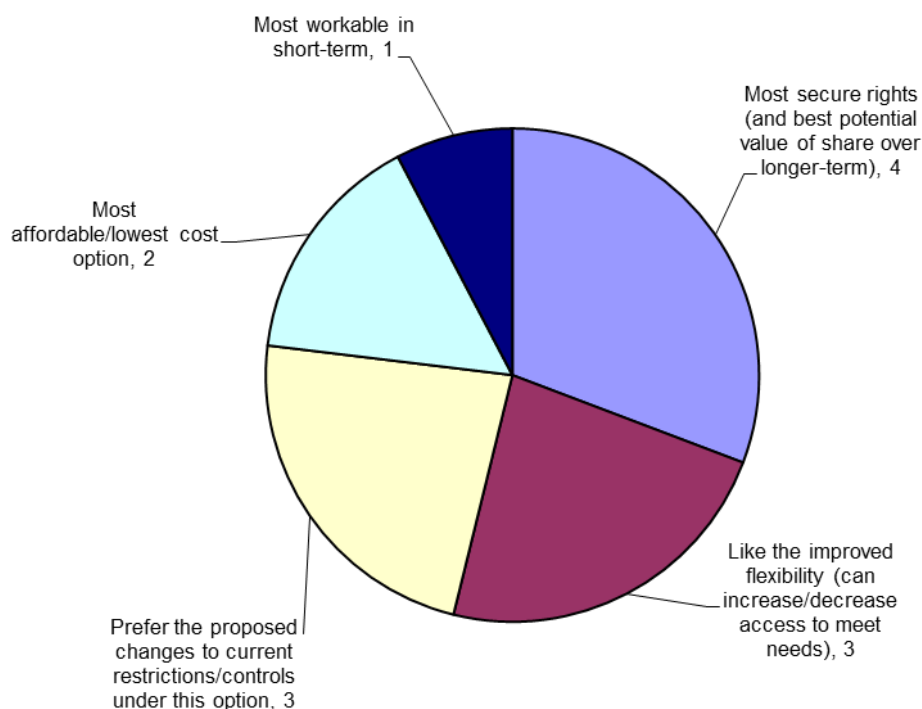


Figure 14: General reasons linkage options were considered most satisfactory or satisfactory

5.7.4 Alternative and modified options suggested by respondents

Where options were not supported, either considered unworkable or needing improvement, respondents had the opportunity to provide alternatives or modifications; these are listed in Table 33.

Table 33: Alternatives and modifications to linkage options suggested by respondents

Linkage Options	Modifications suggested by respondents	Alternatives suggested by respondents
Option 1: Staged implementation of catch quota	- The quota regime needs to be a TAC with ITQs not ITCALs. - Catches should be recognised but quota should be transferable between regions to allow for seasonal and yearly variation in regional catches. - Consider a percentage of TAC being set aside for incidental over-catch where this occurs, catch is sold and money goes to garfish research or levy costs for that fishery.	NIL
Option 2: Staged implementation of effort quota	NIL	NIL
Option 3: Managing endorsement numbers	NIL	Increase minimum shareholding to 60 by 2016.

5.7.5 Responses to other specific feedback sought in the options paper

Amalgamation of regional share classes

Feedback was sought on the option of amalgamating the existing seven regional share classes into a single state-wide share class.

Most fishers who provided a response (6 shareholders and one nominated fisher) were opposed to this (86%, 6/7 respondents).

One indicated that the amalgamation would be negative as it has potential to increase effort in some regions.

The PFA submission indicated that members prefer separate regional management and approaches.

5.7.6 Responses to potential changes to current restrictions

Each of the reform options presented were coupled with potential changes to current restrictions, forming the overall reform package for consideration. Fishers had opportunity to comment.

Very few garfish shareholders provided feedback, with only two replying to the weekend closures proposal.

Weekend and public holiday closures

Two responses, one was in support of removing the weekend and public holiday closures applying to the use of a garfish net (hauling), and one was opposed.

Reasons for opposition to removing the closures included:

- *“Removal of weekend closure is not supported, as it will result in conflict with public, and add pressure to stock.”*

SNAPSHOT – Purse seine component of Ocean Hauling Fishery

- 15 shareholders
- 6 (40%) lodged submissions
- 6 (40%) commented on options

Options presented

Option 1: Effort quota (days) regime

Option 2: Catch quota (kg) on key species, where catch quota is based on either:

- a) proportionally based on current shareholdings for key species [Australian salmon, blue mackerel, Australian sardine, yellowtail scad]; or
- b) using a mix of existing shareholdings and recent participation for Australian salmon and Australian sardine.

Option 3: Basket quota (kg) on all species

Responses in brief

Of the six respondents who commented, the majority indicated that Option 1 was unworkable.

Options 2 and 3 were both considered satisfactory, the option most frequently identified as satisfactory was Option 2b (3/5).

However, two respondents indicated that all options were unworkable.

Reasons provided as to why options were least satisfactory or needing improvement included issues with upfront costs, availability of shares, and the ITCAL being considered as too low.

Comment was generally not made in relation to potential removal of restrictions. However, one respondent agreed that the maximum shareholding of 40% should be removed.

5.8 Ocean Hauling Fishery – Purse seine component

Three options were presented for comment in the purse seine component of the Ocean Hauling Fishery (OHF).

The total number of submissions received relating to this share class was six, representing 40% of shareholders (6/15 shareholders) and 40% of businesses within the share class.

5.8.1 Summary of support and opposition for the share linkage options

All submissions included comments specific to the linkage options presented.

Two respondents indicated that none of the options were workable.

Of the remaining four respondents, three indicated that Option 2b (catch quota for Australian salmon and Australian sardine) was satisfactory. One of these respondents also indicated that they would support of Option 3 (basket quota [kg] on all species) (Table 34).

The remaining respondent was in support of both Options 2a (catch quota for key species based on current shareholdings) and 3 (basket quota [kg] on all species).

Table 34: Summary of respondents' level of satisfaction with the linkage options presented

Fishery	Most satisfactory	Satisfactory	Least satisfactory	Unworkable	Total
Purse Seine (6 of 6 submissions commented on options)					
Option 1: Effort quota (days regime)	0	0	0	3	3
Option 2a: Catch quota for main species based on shareholdings	0	1	0	2	3
Option 2b: Catch quota for salmon and sardines based on mix of shareholdings and recent catch history	0	3	0	2	5
Option 3: Basket quota (kg) on all species	0	2	0	1	3

5.8.2 Reasons linkage options were considered least satisfactory or unworkable

Of the respondents who indicated that they did not support the options presented, few identified specific reasons as to why. Reasons provided by respondents that were specific to the options presented are outlined below.

Although Option 2b and 3 were identified by one respondent as satisfactory, he also indicated that the proposed ITCALs were too low, saying: *“there is inadequate kg quota for business to be viable and they are not based on recent stock assessments....Stocks have improved but allocation hasn’t.”*

In total, four of the six respondents indicated that the proposed ITCALs were too low, either because they don't reflect current catch/effort levels or because the ITCALs would reduce access and result in reduced viability.

There was also concern over resource sharing in relation to the ITCALs and the portion that recreational fishers will also access.

One respondent commented that: *“it should be noted in considering the implications of Option 2b that the 20% share of harvest allocated to the general shares currently issued in the fishery delivers more harvest than they shareholders have ever achieved who have not participated in infrastructure investment to enable harvest growth in both the salmon and sardine harvest sectors.”*

In addition, *“In regards to Australian Salmon, only 2 shareholders possess net registrations and nets capable of substantive successful salmon harvest and only one NSW purse seine operator has actively targeted salmon in the last 30 years, it is only reasonable and conscionable that the operator receive not less than 80% of the harvest rights for salmon purse seine operations.”*

One respondent also raised concern over the availability of shares, another raised concern over the immediate costs (of purchasing shares) being too high.

Broader comments on the reform program in general are summarised in Section 6 of this report.

5.8.3 Reasons linkage options were considered satisfactory

Given that respondents indicated that none of the options were most satisfactory, only indicating options were satisfactory, they did respond to this section of the form.

However, one respondent provided a specific supporting statement for Option 2, indicating:

- *“Option 2 is the only option that recognises the investment made by a minority of shareholders to process and value add to sardines, not only improving our viability in the future but also contributing to jobs in our local community and also benefit local economies.”*
- *“If option 2 is adopted we will keep investing into the industry.”*

5.8.4 Alternative and modified options suggested by respondents

No comments received.

5.8.5 Responses to other specific feedback sought in the options paper

No comments received.

5.8.6 Responses to potential changes to current restrictions

Each of the reform options presented was coupled with potential changes to current restrictions, forming the overall reform package for consideration.

Fishers had opportunity to provide comment. Only one respondent made comment on one of the proposals.

Maximum shareholding

One respondent agreed that the maximum shareholding of 40% should be removed, reasons being that they produce a large proportion of the product.

SNAPSHOT – Ocean Trap and Line Fishery

- 317 shareholders
- 142 (45%) lodged submissions
- 87 (27%) commented on options

Options presented

Demersal fish trap and Line fishing western zone

Option 1: Days quota (individually transferable quota of days) allocated to shareholders based on either:

- a) current shareholdings, or
- b) current shareholdings and recent participation

Line fishing western zone

Option 2: Catch quota (individual transferable quota) for kingfish based on either:

- a) current shareholdings, or
- b) current shareholdings and recent participation

This could be used in conjunction with a days regime or under a stand alone minimum shareholding.

Line fishing eastern zone

Option 1: Catch quota (individual transferable quota) for Bass Groper, Blue-eye trevalla, Gemfish, Hapuku and Pink Ling, based on:

- a) current shareholdings, or
- b) current shareholding and recent participation – resulting in new shares

OTLF Option: Managing endorsement numbers, through setting of a minimum shareholding for participation, two stage implementation complete by 1 July 2016.

Responses in brief

Of the 153 submissions for the OTLF, 87 commented on the options presented.

Forty-six (53%) of respondents who commented on options said all were unworkable.

For fish trap and line west, Option 1b was identified most frequently as most satisfactory by those who indicated that one or more options were satisfactory. However, it was also identified most frequently as least satisfactory by others. Thus, no clear preference was evident.

A range of alternative and modified options were put forward by respondents.

Fifteen respondents indicated that in calculating the ITCAL recent participation should be weighted more heavily (80-100% recent participation) than shareholdings.

5.9 Ocean Trap and Line Fishery

Three main options were presented for comment in the demersal fish trap, line fishing eastern zone and line fishing western zone sectors of the Ocean Trap and Line Fishery (OTLF).

A total of 153 submissions were received. One hundred and forty three of these were from shareholders, representing 45% of shareholders (143/317 shareholders), and 47% of FBs that hold relevant OTLF shares (163/346 businesses).

Seven submissions were from nominated fishers, one was anonymous, one from a fishing cooperative, and one from an industry group.

Broken down by share class, 95 submissions related to Demersal Fish Trap (OTLD), 38 related to Line Fishing Eastern Zone (OTLLE), and 145 related to Line Fishing Western Zone (OTLLW). Some fishers who lodged a submission made comments relating to more than one share class.

5.9.1 Summary of support and opposition for the share linkage options

Of the 153 submissions, 87 (57%) included a response specific to the linkage options presented.

Approximately 53% of respondents (46/87) indicated that all of the options for each of the share classes were unworkable (Table 35).

Option 1b (effort quota (days) based on a mix of current shareholdings and recent participation) was most frequently identified as most satisfactory for OTLD and OTLLW.

However, this was also most frequently identified as least satisfactory in the same share classes by other respondents.

Similarly, Option 1b (catch quota for selected deepwater species based on a mix of current shareholdings and recent participation for OTLLE), was identified most frequently as most satisfactory by some, but then most frequently identified as least satisfactory by others.

Hence, no clear preference was evident among respondents.

Industry representatives indicated that there is no linkage option that will create a better investment for fishers in this fishery because of the level of distortion that currently exists. The costs of all of the options presented are far too high for this fishery, particularly given the substantial set up and operating costs associated with this fishery.

Shareholdings and recent participation (% splits)

Some respondents who indicated a preference for quotas based on a mix of shareholdings and recent participation (Options 1b/2b), also provided specific feedback on the calculations used to determine allocations (using current shareholdings/recent participation).

Fifteen respondents who commented on the question were in favour of calculating the allocations using models that weighted recent participation more heavily, indicating:

- “Option 1b will need to be the 20/80 split”, (the 20% shareholdings/ 80% participation model presented).”
- “99% or 100% catch history should be used to calculate the allocations.”
- “80/20 split provides a fair recognition of activity, it also adds incentive to purchase additional quota if/when funds, need or availability arises. Nothing less than the 80/20 split would achieve a positive outcome. It’s fair and addresses any dissatisfaction from inactive shareholders.”
- “For fish trap, minimum shareholdings and for line west minimum shares and Option 2b (20/80% split) are most satisfactory, they are most affordable and least restrictive options.”

- “Demersal fish trap and line west – the best option is 1b, the 20/80% split. I believe we should support the fishermen who participate more, catch more and depend on fishing alone to make a living.”
- “Equal allocation in the OTLF will result in a lot of fishers being out of business.”
- “OTTLW fishers should also be allocated 30 days on top of their historical effort.”

However, others had concerns over the use of recent participation.

One respondent indicated that: “catch history should not be used, as it will disadvantage new entrants”. A new entrant also raised this issue, suggesting that his “recent 18 months in the fishery be counted and then doubled to give a 3 year average (for use in allocations).”

OTLF participants also commented that: “recent participation does not work, it is unfair to multi endorsed fishers as effort can be reduce by numerous factors i.e. health, weather, family matters, boat problems.”

The PFA submission indicated that: “many members are concerned that equal allocation will result in hardship for active and viable fishers and not result in an economically viable industry”. But, “members are also concerned over the use of recent catch history for a range of reasons.” The PFA also indicated that the GVP contribution should include a longer period.

Table 35: Summary of respondents’ level of satisfaction with the linkage options presented

Ocean Trap and Line Fishery	Most satisfactory	Satisfactory	Least satisfactory	Unworkable	Total
OTLF demersal fish trap (n=57 of 95 submissions commented on options)					
Option 1a: Effort quota (days) based on current shareholdings	7	5	15	27 (50%)	54
Option 1b: Effort quota (days) based on mix of current shareholdings and recent participation	10	3	18	26 (46%)	57
OTLF Option: Endorsement numbers	3	2	8	26 (67%)	39
OTLF line fishing western zone (n=87 of 145 submissions commented on options)					
Option 1a: Effort quota (days) based on current shareholdings	10	2	20	48 (60%)	80
Option 1b: Effort quota (days) based on mix of current shareholdings and recent participation	16	7	19	45 (52%)	87
Option 2a: Catch quota for kingfish based on current shares		2	10	47 (80%)	59
Option 2b: Catch quota for kingfish based on mix of current shares and participation	5	3	10	46 (72%)	64
OTLF Option: Endorsement numbers	4	3	8	46 (75%)	61
OTLF line fishing eastern zone (n=25 of 38 submissions commented on options)					
Option 1a: Catch quota for selected deepwater species based on current shares	3	2	3	14 (64%)	22
Option 1b: Catch quota for selected deepwater species based on mix of current shares and participation	5	0	7	13 (52%)	25
OTLF Option: Endorsement numbers	2	1	2	14 (74%)	19

5.9.2 Reasons linkage options were considered least satisfactory or unworkable

Of the respondents who indicated that they did not support the options presented, few identified specific reasons as to why they were considered unworkable. Some reasons specific to Option 1 were provided, respondents indicating that:

- *“Days will not offer flexibility or profitability for fishers on restricted days.”*
- *“Days is dangerous as it will force fishers to fish in bad conditions as once they start, they will keep going.”*
- *“Fishers go offshore and work multiple endorsements in one day and it’s this that allows them to remain viable. Going through a day options may mean that fishers will not diversify into the other share classes in fear of losing a day. Fishers should be able to check traps when out fishing in their line share class and not lose a day for doing so.”*
- *“Enforcement is also a concern, how will DPI determine if a fish has been harvested from the line or trap share class?”*
- *“The use of log book data in setting days ITCAL is debated, the proposed level of allocation of days (based on equal allocation) isn’t acceptable as it requires too great a level of investment.”*
- *“The 10% increase in calculating the days ITCAL (allowed for search time) does not reflect the amount of time wasted in searching for product and this needs to be significantly higher (e.g. 20-30% depending on time of year, offshore conditions and location).”*
- *“Days is impractical for multi-endorsed fishers who decide to fish when they get offshore (confusion on phone reporting methods).”*

In relation to Option 2, respondents indicated that:

- *“No industry can maintain viability if barriers are placed to prevent new entrants to that industry. Option 2 specifically discriminates against new entrants which will result in reduced innovations and vigour which is detrimental to the long term sustainability of the NSW fishing industry.”*
- *“Catch quota in the OTLLE fishery will not work since all the fish caught from deep are dead on reaching the surface and would lead to the dumping of a good resource.”*
- *“The PFA is concerned over the level of investment required through this option (Line West linkage to catch quota for kingfish)...the viability of Ocean Trap and Line fishers is more greatly impacted by fuel prices and competition with species imported from overseas markets than the threat of latent effort activation.”*
- *The costs would cause significant disturbance to successful and efficient businesses: “an allocation of 800 kg of kingfish to a business that averages 16 tonnes is beyond comprehension.”*
- *“Option 2b is not going to result in an even share value, this will complicate share trading.”*

Respondents also indicated that: *“due to the high level of distortion between shareholdings and actual catch, both options would have a devastating impact on the active sector of the fishery. The initial flat allocation, irrespective of the catch is the problem and must be addressed to proceed to achieve a viable and secure outcome”...“I believe the existing minimum shareholding of 40 shares should remain as a access to the fishery and the species selected for quota management.”*

Others commented on minimum shareholdings, indicating: *“I don’t agree with minimum shareholding as it devalues the shares of fishers with less than the minimum amount.” “Leave minimum share holdings at 40.”*

Another respondent suggested that: *“new entrants should be required to hold higher share numbers, with a sunset clause on existing shares”*. Other related comments are in Section 6.

A range of reasons, not specific to a particular option, were also provided as to why options were not supported in general; the majority were related to costs and ITCALs (Figure 15).

Fifty-six submissions (56/153 submissions, 37%) indicated that costs were an issue, and 86 respondents also indicated that they were not supportive of ITCALs.

Broader comments on the reform program in general are summarised in Section 6 of this report.

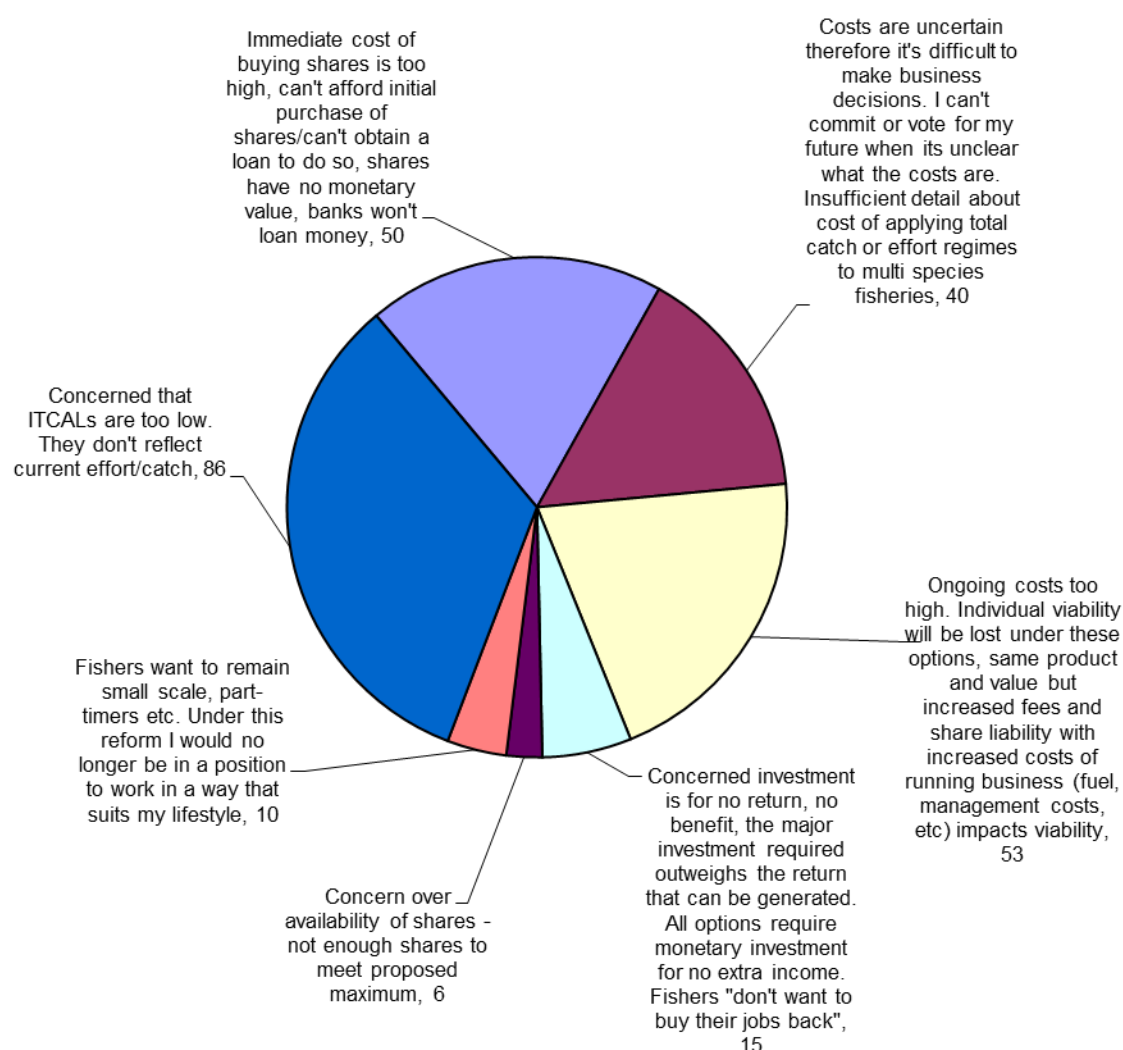


Figure 15: General reasons why respondents had concerns with the linkage options

5.9.3 Reasons linkage options were considered satisfactory or most satisfactory

Where respondents indicated that one or more options were satisfactory or most satisfactory, they were also asked to provide an indication as to why.

Respondents indicated that:

- *“ITQ based on history is the best option.”*
- *“On completion of a quota managed fishery with a TAC for this fishery, many restrictions could be streamlined, e.g. hook numbers, boat licences and perhaps even a limited small scale auto-line introduction.”*

- *“Given the choice we would support Option 1b for fish trap, an effort quota allocation on a 20/80 split as detailed. We run less than 15 traps, restricting us to days alone would encourage us to use 30 traps and this would bring adverse reactions from the recreational sector. We would rather run less traps and have more days and feel the management regime should reflect this. No other option is supported.”*
- *“We would support option 2b for line west, with an allocation of kingfish shares based on the listed 20/80 split. This option reflects our current and past operations, provides some security and certainty for the future, provides effective stock management tools for this valuable species, provides the strongest linkage to shares, helps protect markets subject to flooding, increases economic returns and also addresses concerns of other user groups.”*
- *“Minimum shareholding is the simplest control with little confusion for the fishers in assessing its viability and is the easiest to implement and police, which in turn implies it is the cheapest option.”*
- *Minimum shareholdings is the most cost effective to manage and is a system that is already in place. Increasing minimum shareholdings will reduce latent effort automatically and access will remain the same, allowing flexible fishing time.”*
- *“Share allocation should reflect real history, mirror existing rights of fisher at time of license being issued.”*
- *“Use old catch that has previously been validated.”*
- *“Minimum shareholding is the best option as it allows fishers to take advantage of good and bad years, as opposed to quota.”*
- *“If excess share above the minimum are not removed by the government during buy-back, then do not give quota allocation to these shares.”*
- *“Minimum shareholding is the only option as a fish trapper. I need to work many days to make my business viable...and it reduces numbers (of fishers) by having to acquire unused shares.”*
- *“Option 2b is most satisfactory, this option lets me work more safely and profitably with less chance of licence decreasing in value, it also doesn’t affect cross border licence issues and I can maintain my current catch level. However, reporting requirements need to be handled correctly.”*
- *“Option 2a will provide the most direct link to share values, based on real figures. This will make owning more shares desirable and give security to fishers and should keep share values high.”*
- *“Minimum shareholdings don’t have any more security then current effort, essentially just pay money to do what you are currently doing.”*
- *“Increase shares to 60 and then increase shares to 80 by July 2018.”*
- *“Keep the reforms simple but effective by raising the minimum shareholding. Raise the minimum to 80 over time for both line and trap fisheries. This places equal value on shares. Those wishing to stay in these fisheries will have to make a genuine commitment to remain viable, but not a ridiculous one that could be the case with some of the other options.... Day quotas will force me to run maximum numbers of traps in an attempt to get the best out of a restrictive management option but the more traps I use the more friction I will have with recreational fishers, and also issues with trap losses.”*

Twenty-three respondents provided general reasons as to why linkage options were considered satisfactory or most satisfactory; these are indicated in Figure 16.

The most common reasons identified by these respondents were that the option was considered to be affordable/the lowest cost option, provide the most secure rights, and or most workable.

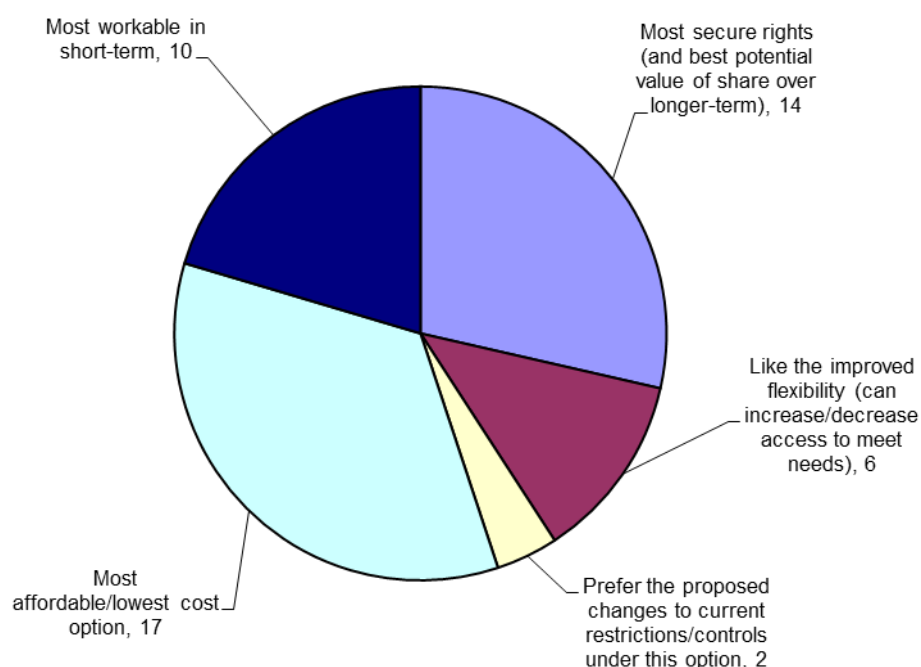


Figure 16: General reasons linkage options were considered most satisfactory or satisfactory

5.9.4 Alternative and modified options suggested by respondents

Where options were not supported (either considered unworkable or needing improvement), a number of alternative or modified options were suggested by respondents. These are listed in Table 36.

Table 36: Alternatives and modifications to linkage options suggested by respondents

Linkage Options	Modifications suggested by respondents	Alternatives suggested by respondents
Option 1 for fish trapping and line west: Days quota	- All leasing should be stopped after a 2-year period to give those fishermen leasing a chance to buy. - All new entrants should have twice the shareholding (80 shares). - OTLLW fishers should get 160 days per 40 shares. - Need a minimum of 200 days if you have the capacity to fish the weather to be viable. - Allow fisherman to work unlimited days (i.e. 365) or work the average amount as every worker 240 days.	- For the OTLD fishery link shares to trap numbers; 1*40 shares = 10 traps with unlimited days; 2*40 shares (80) = 20 traps with unlimited days; 3*40 shares (120) = 30 traps with unlimited days. - For the OTLLW fishery link shares to crew numbers; 40 shares allows one skipper plus deckhand. To employ an extra deckhand it would require 20 additional shares. - For the OTLD fishery link shares to trap numbers; 40 current shares allows the use of 20 traps, additional traps can be purchased at a rate of 5 traps per 20 shares. New entrants must buy 80 share to get their first 20 traps and management fees are linked to shares owned i.e. 1 trap = \$100 fee; If share are leased longer then 12 months, the shares must be purchased; vessel size is to be tied to shares owned not leased shares. - Restrict the trap numbers and increase the

Linkage Options	Modifications suggested by respondents	Alternatives suggested by respondents
Option 2 for line west: Catch quota	- Kingfish quota should only be allocated to fishers that have previously caught kingfish. Allocation should be done using an appropriate formula that takes into account; time in the industry, shares held (with an appropriate weighting to take into account those share blocks purchase with no history), take a five year average catch with highest and lowest years removed and fixed effort days for all. - Kingfish are highly migratory and catches are affected by ocean conditions, suggest an annual TAC set for two years with a 20% over and under capability built into the ITCAL, i.e. you can go 20% over quota the first year but you must be 20% under in the second, or vice versa. This would help provide for the fluctuating nature of kingfish catches. - Kingfish at or under 60cm are returned to the water dead, maimed, exhausted and subsequently fall prey to other predators. These undersize fish should become part of the 280 tonne quota as this would dramatically reduce the fishing period. - Gemfish should be included in the list of species proposed for quota management (not just kingfish for LW) - using trip limits to manage gemfish stock is inadequate. Zero take of Gemfish should apply unless gemfish quota is held. - A limit on fish caught per day based on a realistic maximum share holding per business should be implemented. This could alleviate some of the market fluctuations and lessen the sustainability impact.	allocated number of days, i.e. reduce to 15 and more days. - Restricting trap numbers in OTLF is a more appropriate control i.e. reduce from 30 down to 20-15 traps. - For the OTLD, link shares to trap numbers. - OTLLW fishery should be limited to skipper and 1 crew and 100 days per 40 shares. - Reduce the number of crew allowed per endorsement. Currently 303 endorsements+ 3*crew = 1212 fishers, 95% GVP 149 endorsements+ 3*crew = 596 fishers, 97% GVP 168 endorsements+ 3*crew = 672 fishers, however, if one share package was equal to one crew instead of three this could reduce the potential effort without the majority of fishers further investing. Proposed 303 endorsements+ 3*crew = 606 fishers. - Basket limit for OTLLE would be better.
	Nil	- Allow fishers to catch 2 kingfish per share (i.e. 40 shares equals 80 fish), this would stop market flooding and keep the price high, or have a trip limit of 250kg for kingfish so that the market isn't flooded and allow fishers to get the highest prices for their fish. - Several shareholders provided the following alternative along with justification: In line with Recreational fishers 1 share = 5 kingfish @ \$35 per share therefore 40 OTLLW share = 200 kingfish. Reasoning: this was viewed as providing secure rights, being most affordable and workable. - Consideration should be given to permit the use of bait nets in the kingfish fishery. - OTLLW fishery should be limited to skipper and 1 crew and 100 days per 40 shares. - Raise the minimum shareholding in the OTLLW within a 5 year period from 40 to 50 shares. - There should be a minimum amount of days allocated to fishers, say 100 days for everybody in OTLLW. Days should only count when fish have been weighted in. - Remove days from the kingfish fishery and allow fishers to catch quota. All days recorded catching kingfish alone removed from the LW days allocation, LW days would then cover the landing of species other than kingfish, e.g. a fisher may be allocated 5,000 kg of kingfish plus 34 LW days to land species other than kings, such as blue mackerel, snapper etc. and then days for kingfish are not restricted. - There could be an allocation of catch (quota) based on who invests more with people that invest more getting a higher % of the total allowable catch (or an incrementally increasing amount of quota as they increase their shareholdings), e.g. 40 shares = 1,000kg or a % of catch (ITCAL); 80 shares = 2,000kg or a bigger % of ITCAL; 120 shares = 4,000kg or % of

Linkage Options	Modifications suggested by respondents	Alternatives suggested by respondents
		ITCAL; 160 shares = 7,000kg or % of ITCAL; 200 shares = 10,000kg or % of ITCAL and what's left on the quota could be added by % to all blocks of shares or to the holder of 5 x 40 shares.
OTLF Option: Managing endorsements (minimum shareholding)	- Gradually increase shares over a longer period of time 8-10 years. - Go back to minimum shareholding requirements and link shares to gear for the time being. Work under the current Fisheries Management Strategies and Environmental Impact Statements, which still have three years to run, until further consideration is given to the ideas that come forward through reform submissions.	

5.9.5 Responses to other specific feedback sought in the options paper

Using minimum shareholdings

Where respondents indicated a preference for one or more of the OTLF share classes to be managed through endorsement numbers (using minimum shareholdings), they were also asked about the implementation of this approach.

Specifically, fishers were given opportunity to comment on: a) whether using the 97% GVP values was appropriate for setting the maximum number of endorsements; and b) whether a two-stage approach to acquiring the minimum number of shares was preferred over a one-stage approach. Responses are summarised below (Table 37).

Table 37: Feedback on the appropriateness of using the 97% GVP values, and whether a two-stage approach is preferred

Specific feedback sought	Number support (Yes)	Number oppose (No)
Whether shareholders thought that using the 97% GVP values was appropriate for guiding the target maximum numbers of endorsements.		
OTLD	7	3
OTLLE	3	3
OTLLW	8	8
OTLF – not specific to share class	0	2
Total	18	16
Whether a two-stage approach to reaching the required minimum shareholding was preferred over one direct jump to the new minimum shareholding requirement at 1 July 2015.		
OTLD	11	1
OTLLE	3	2
OTLLW	14	6
OTLF – not specific to share class	0	2
Total	28	11

One respondent in support of a single stage increase in minimum shareholdings provided the reasoning that: *“one-stage as this will encourage fishers to trade their shares rather than holding onto them”*.

The PFA and others also indicated that the additional 5% allocation for liquidity of shares does not accurately reflect the issue, suggesting that this should be increased to 30-40%.

Fish trapping

For fish trapping, an additional issue for consideration was the option of allowing fishers to use a block of additional traps (if they hold a block of additional shares) under a new minimum shareholding (i.e. if a new minimum was imposed that was higher than the current 40 share minimum).

Responses are outlined below relating to how fishers thought this should be applied – i.e. a) how many **additional shares** should be needed before additional traps could be used, and b) how many **additional traps** should be used.

A total of 34 responses were received with suggestions ranging from 0 to 120 additional shares. Fifteen respondents (44%) indicated that no additional shares should need to be held to allow for additional traps. Eleven respondents (32%) indicated that an additional 40 shares should be held to allow for this (Table 38).

Table 38: Feedback on the number of additional shares needed before additional traps could be used

No. of additional shares suggested that should be held to allow for use of additional traps	0	1	10	20	40	80	120
Number of fishers who commented	15	1	2	2	12	1	1

A total of 29 responses were received regarding the number of additional traps that should be allowed responses ranged from 0 to 80 additional traps (Table 39).

Table 39: Feedback on the number of additional traps that these (additional shares) would permit

No. of additional traps suggested	0	5	10	15	20	30	50	80
Number of fishers who commented	7	1	7	5	3	4	1	1

Line fishing eastern zone

For line fishing eastern zone, fishers were also asked to consider the use of an additional 1,200 hooks (if they hold a block of additional shares) – i.e. if a new minimum was imposed that was higher than the current 40 share minimum.

Responses were sought on how many **additional shares** fishers thought would be needed before the additional 1,200 hooks could be used.

Fourteen responses were received, indicating 0 to 80 shares and the most frequent response was 40 shares (Table 40).

Table 40: Feedback on the number of additional shares (above the minimum shareholding) required to be able to use an additional 1,200 hooks

Number of additional shares	0	1	10	40	80
Number of fishers who commented	4	1	1	7	1

5.9.6 Responses to potential changes to current restrictions

Each of the reform options presented was coupled with potential changes to current restrictions, forming the overall reform package for consideration. Shareholders were asked to provide feedback on these.

A summary of those who were in support and opposition of each of the potential changes is included in Appendix 8.

Foreign ownership was the issue that was most frequently responded to. All 17 respondents, indicated opposition to removing the existing rules.

Others responses included:

- Banded rock cod daily limit (3 shareholders), all opposing removal of the daily limit for conservation reasons.
- OG1 notations (2 shareholders), both supporting removal.
- Boat length increase (3 shareholders), all supporting an increase.

One respondent also made comment indicating that:

- *“Electric reels and braided line should be banned from use in water deeper than 100m for both recreational and commercial fishers. This will improve the sustainability and long-term viability of the OTLLE fishery as with electric reels fishers can access this fishery 24/7 and deplete the stock very quickly, similar to what occurred with the kingfish traps in the OTLLW fishery.”*

SNAPSHOT – Spanner Crab component of Ocean Trap and Line Fishery

- 39 shareholders
- 17 (44%) lodged submissions
- 11 (28%) commented on options

Options presented

Option 1: Fishery-wide catch quota involving the creation of a new single state-wide spanner crab share class across which a catch quota would apply, and applying an ITCAL of 169.2 tonnes.

Option 2: Catch quota for the northern zone and mixed (input and output) controls for the southern zone including:

- reduced dilly size,
- fishing closures (Sandon to Yamba),
- daily catch limit of 150 kg,
- annual cap per shareholder (1 tonne/20 shares),
- removal of southern zone boundary from Hat Head to Victorian Border,
- increase minimum size limit from 93 mm to 100 mm.

Responses in brief

Of the 11 shareholders and four non-shareholders who made comment on the options presented, eight (73%) of northern zone (SCN) participants, indicated that Option 1 was most satisfactory.

Few southern zone (SCS) participants provided a response. Five respondents indicated options were unworkable, one shareholder indicated that Option 2 was most satisfactory, and two non-shareholders indicated that Option 1 was most satisfactory.

July was preferred by most (58%) as the start of the fishing period; shareholders also indicated August and February.

97% GVP and staged implementation of a new minimum shareholding was viewed as appropriate by those who commented.

sThe ITCAL was viewed by five (19% of all respondents) as being too low.

5.10 Ocean Trap and Line Fishery – Spanner crab component

Two options were presented for comment in the spanner crab component of the OTLF.

Twenty-six submissions were received relating to the spanner crab share classes. Nineteen related to spanner crab northern zone (SCN) and seven related to spanner crab southern zone (SCS).

Of these 17 were from business owners (shareholders), representing 44% of shareholders (17/39 shareholders) and 44% of FBs within the spanner crab component of the fishery. The remaining nine (from 26 in total) were from nominated fishers and industry representative bodies/participants.

5.10.1 Summary of support and opposition for the share linkage options

Of the 17 submissions from shareholders, only 11 (28% shareholders overall) made comment regarding the specific linkage options presented (9 SCN, 2 SCS); four non-shareholders (commercial fishers) also made comment specific to the linkage options.

Approximately half of the respondents (average 50%) indicated that one or more, or all, of the options were considered unworkable (Table 41).

The majority (8/11 [73%] respondents) who made comment on the options indicated that Option 1 (catch quota for spanner crab fishery state-wide) was most satisfactory.

Option 1 was viewed most frequently (by SCN shareholders) as providing the most secure right (and best potential value of shares over the longer-term) and was preferred given that it would allow for improved flexibility (can adjust access to meet their needs).

Option 2 (catch quota for northern zone and mixed controls for the southern zone) was viewed as least satisfactory; all four were SCN shareholders/FB owners).

Few SCS shareholders provided a response, with one indicating that Option 2 was most satisfactory, and the other indicating both options were unworkable. Reasons were associated with upfront costs. However, two non-shareholders (nominated fishers in southern zone) indicated that Option 1 was most satisfactory.

The PFA indicated that northern zone members preferred Option 1, whereas southern zone members indicated that Option 2 was more appropriate.

Table 41: Summary of respondents' level of satisfaction with the linkage options presented

Fishery	Most satisfactory	Satisfactory	Least satisfactory	Unworkable	Total
OTL spanner crab northern (11 of 19 submissions included comment on options)					
Option 1: State-wide catch quota for spanner crabs	8	0	0	3	11
Option 2: Catch quota for the northern zone and mixed controls for the southern zone	0	0	4	3	7
OTL spanner crab southern (4 of 8 submissions included comment on option)					
Option 1: Catch quota for spanner crabs	2	0	0	2	4
Option 2: State-wide catch quota for the northern zone and mixed controls for the southern zone	1	0	1	1	3

5.10.2 Reasons linkage options were considered least satisfactory or unworkable

Of the respondents who indicated that they did not support the options presented, none provided specific reasons as to why options were considered unworkable.

However, a range of reasons (not specific to a particular option) were provided.

General concerns were largely related to costs and ITCALs and fell into the following comment categories:

- Immediate costs associated with purchasing shares is too high/purchasing more shares is unaffordable (and banks won't loan funds) (9);
- On-going costs are expected to be too high (9);
- Costs are unknown, therefore it's difficult to make business decisions (5);
- Investment required is for no return or no benefit (2);
- Concern over availability of shares (3);
- ITCALs are too low, they don't reflect current catch or effort (3);
- I don't agree with the years used in calculating the ITCALs (5);
- I don't agree with the ITCALs given log book data is incorrect (2); and
- ITCALs are too low, this will reduce access and cause reduced viability (4).

One northern shareholder indicated that: *"the southern zone of the spanner crab should not be allowed 5% of the ITCAL if they only catch 3%".* And the PFA indicated that: *"members have advised that not all shares are utilised under the catch linkage and therefore 5% liquidity must be factored into consideration".*

5.10.3 Reasons linkage options were considered satisfactory

Where respondents indicated that one or more options were satisfactory or most satisfactory, they were also asked to provide an indication as to why.

Seven respondents indicated general reasons that options that were considered satisfactory or most satisfactory; these are provided below (Figure 17).

The most common reasons identified by fishers as to why option/s were considered most satisfactory or satisfactory, were that they were viewed as providing the most secure rights (and best potential value of shares over the longer-term), improved flexibility (can adjust access to meet their needs), and the proposed changes to current restrictions were preferred.

Other specific statements provided by fishers as to why options were considered to be most satisfactory/satisfactory included:

- *"I support linkage, it must commence after the exit grant process, but be in place before February 2015 (before the next state election) to guarantee quota will be implemented."*
- *"Catch quota will only work for single species fisheries like spanner crab."*
- *"Allow for share trading between north and south spanner crab zones. I also support the proposed changes to current restrictions as they should not be there now."*

Others indicated some support, but with suggestions for other changes that fall outside of the scope of the reform, for example: *"Removal of restrictions like Marine Parks and Recreational Fishing Havens with the implementation of a catch quota scheme."*

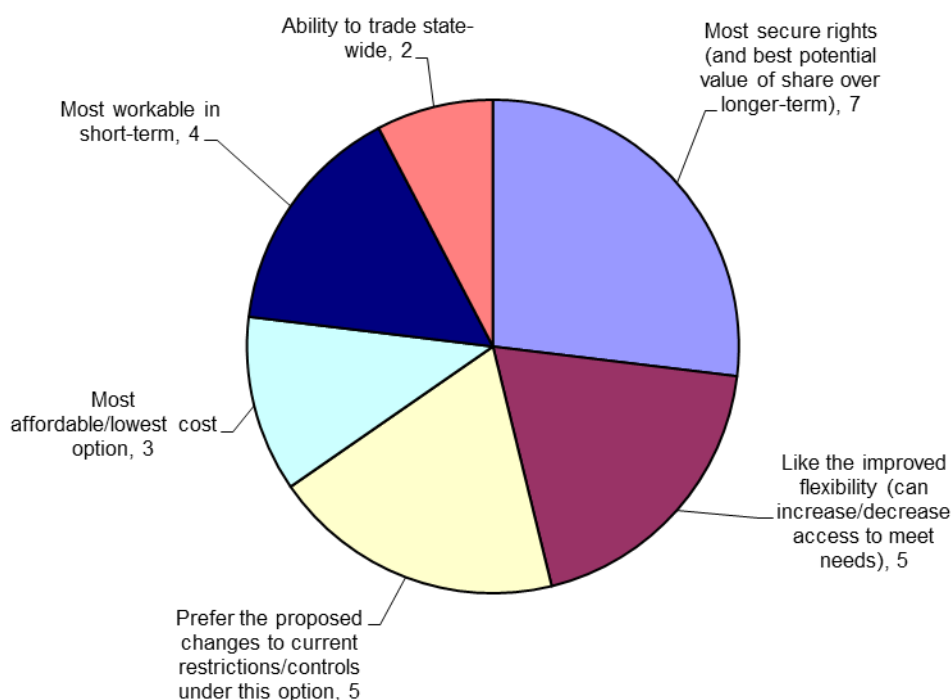


Figure 17: General reasons why respondents had concerns with the linkage options

5.10.4 Alternative and modified options suggested by respondents

Where options were not supported, either considered unworkable or needing improvement, some suggestions were made for alternative or modified options. These are listed in Table 42.

Table 42: Alternatives and modifications to linkage options suggested by respondents

Linkage Options	Modifications suggested by respondents	Alternatives suggested by respondents
Option 1: Catch quota for spanner crabs	Current fishers in the spanner crab fishery should be able to fish at their current quota level and any entrants into the fishery have to meet minimum shareholdings of 40 shares to be eligible to fish.	A daily bin trip limit for spanner crab should be implemented instead of a quota.
Option 2: Catch quota for the northern zone and mixed controls for the southern zone	NIL	NIL

5.10.5 Responses to other specific feedback sought in the options paper

Spanner crab fishing period

Fishers were asked to provide feedback on the best starting date for the fishing period in any given year under a catch quota management regime, with the options being: a) 1 July, b) 1 August, and c) 1 February. Results are illustrated in Figure 18.

The majority of respondents (58%) indicated July as the preferred start to the period.

August was also suggested as: *“it’s the start of the peak period of spanner crabbing”*.

Comment was made by other OTLF respondents that: “The quota start and end dates need to take the migratory pattern of fish into consideration as it could be disadvantageous to fishers targeting specific species”.

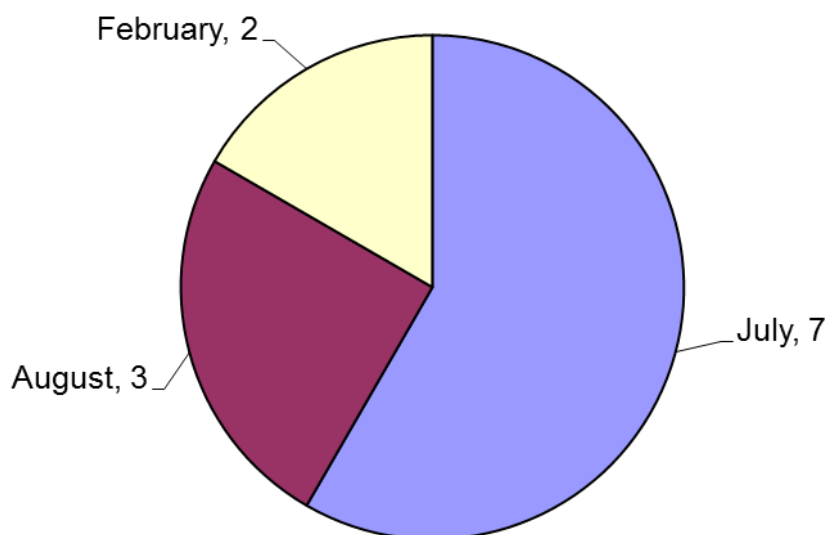


Figure 18: Preferred starting month for the spanner crab fishing period

5.10.6 Responses to potential changes to current restrictions

Each of the reform options presented was coupled with potential changes to current restrictions, forming the overall reform package for consideration.

Two shareholders (both SCN) commented on the number of dillies, indicating:

- *“Dillies (should) stay the same dimensions with the same net drop of 100 mm for spanner crab.”*
- *“The potential to remove the 30 dilly limit should be lifted for all fishers but not for at least 3 years.”*

General concerns from spanner crab shareholders and industry participants in relation to the reform program more broadly have been included in Section 6 in this report.

SNAPSHOT – School and gummy shark component of Ocean Trap and Line Fishery

- 18 shareholders
- 14 (77%) lodged submissions
- 7 (38%) commented on options

Options presented

Option 1: A gummy shark catch quota regime where quota is issued based on either:

- a) shareholdings, or
- b) a mix of shareholdings and participation.

Option 2: Managing endorsement numbers via a minimum shareholding regime for school and gummy shark.

Responses in brief

Of the seven respondents who commented on options, three indicated that all options were unworkable.

Two indicated that all options were “least satisfactory”.

One indicated that Option 1a was satisfactory and another indicated that Option 1b was most satisfactory.

Three respondents commented on the 97% GVP indicating that this was not appropriate for guiding the target maximum number of endorsements.

Three shareholders indicated a preference toward higher weightings on recent participation (80-100%) as opposed to shareholdings in calculating quotas.

5.11 Ocean Trap and Line Fishery – School and gummy shark component

Two options were presented for comment in the school and gummy shark component of the Ocean Trap and Line Fishery (OTLF).

A total of 16 submissions were received; 14 of these were from shareholders representing 78% of shareholders within the school and gummy shark share class.

5.11.1 Summary of support and opposition for the share linkage options

Of the 14 shareholders who lodged a submission, only seven (50%) made comment specifically on the options presented.

Three business owners indicated that all options were unworkable, and no reasoning was provided specific to the options presented (Table 43).

Of the remaining four business owners/shareholders, two indicated that all options were least satisfactory, one indicated that Option 1a (catch quota based on shareholdings) was satisfactory, and the other indicated that Option 1b (catch quota based on shareholdings and recent participation) was most satisfactory.

The shareholder who indicated that Option 1b was most satisfactory also commented that 100% catch history should be used rather than the proposed 20/80 – 50/50 splits (shareholding/recent participation) presented. This was also supported by another shareholder who didn't make comment on which option was preferred.

One of the business owners who did not provide an indication of which option was preferred did indicate that the 20/80 split would be the most appropriate.

Table 43: Summary of respondents' level of satisfaction with the linkage options presented

Fishery	Most satisfactory	Satisfactory	Least satisfactory	Unworkable	Total
OTL School and Gummy Shark (7 out of 14 submissions commented on options)					
Option 1a: Catch quota for gummy sharks based on shareholdings	0	1	2	3	6
Option 1b: Catch quota for gummy sharks based on shareholdings and recent participation	1	0	3	3	7
Option 2: Endorsement numbers	0	0	2	3	5

5.11.2 Reasons linkage options were considered unworkable

Most respondents did not provide any specific reasoning as to why they thought options were unworkable, satisfactory or most satisfactory.

However a range of general comments, not specific to a particular option, were provided (Figure 19).

Seven business owners and the two industry participants (including the PFA) who made submissions relating to this share class grouping indicated that that they were not supportive of the ITCALs (noting that the PFA's submission covered OTLF in general).

Six out of the 14 businesses, along with the PFA, also identified costs as an issue (Figure 19). Two fishers indicated specifically that: *"shares have no recognised monetary value by any financial institution, and thus they will not lend any money"*.

Another fisher indicated that they: *"will be hugely disadvantaged if it goes to catch quota, as I have been focusing effort on other fisheries"*.

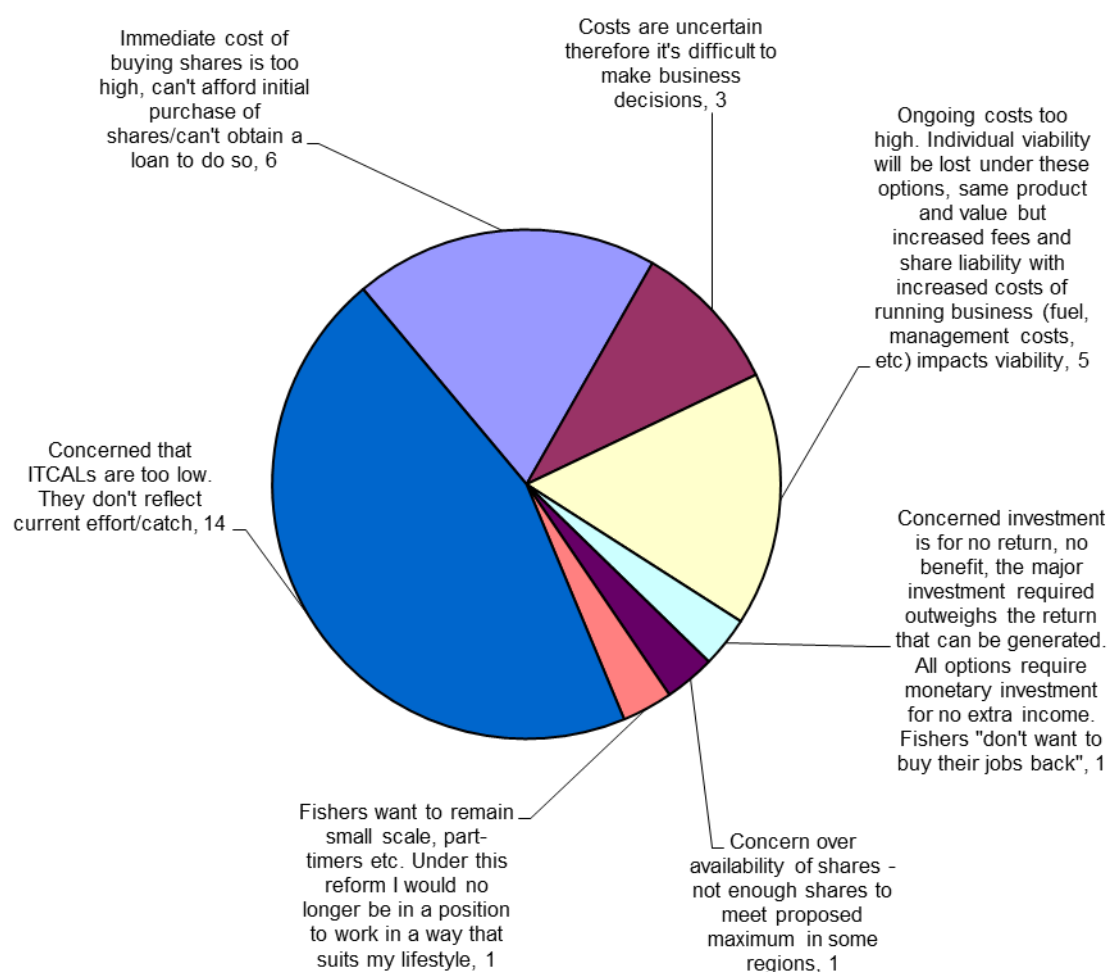


Figure 19: General reasons why respondents had concerns with the linkage options

5.11.3 Reasons linkage options were considered satisfactory

No comments received.

5.11.4 Alternative and modified options suggested by respondents

No comments received.

5.11.5 Responses to other specific feedback sought in the options paper

Endorsement numbers

Only three school and gummy shark shareholders responded to the question regarding GVP, all indicating that the 97% GVP measure was not appropriate for guiding the target maximum number of endorsements.

One made comment about the staged implementation approach, indicating this was also not supported.

5.11.6 Responses to potential changes to current restrictions

Each of the reform options presented was coupled with potential changes to current restrictions, forming the overall reform package for consideration. Fishers were asked to provide feedback on these.

One shareholder commented on foreign ownership restrictions indicating no support for the removal of this rule. The PFA also supported keeping this restriction.

6 Summary of general comments, issues and views by commercial fishers and industry representative bodies/participants

This section provides an overview of the range of general comments, issues and views provided by commercial fishers (shareholders and nominated fishers), and other industry representative bodies/participants.

6.1 General comments from commercial fishers

A range of concerns, issues and views were included in submissions that largely focussed on aspects of the reform *process* rather than the linkage options specifically. The seven major categories included:

- The reform process
- Consultation processes
- ITCALs⁶
- Asset value
- Viability (profitability over the longer-term)
- Social/lifestyle issues and concerns
- Restructure options
- Implementation issues.

In total 1,846 comments were recorded from within these general categories, made by 379 individuals.

Overall, 41% of general comments were related to the reform process, 16% related to alternative restructure options (i.e. alternative uses of the \$16M exit grant funding), and 14% related to viability concerns (Figure 20). Within each of these categories a number of sub-classifications were also identified.

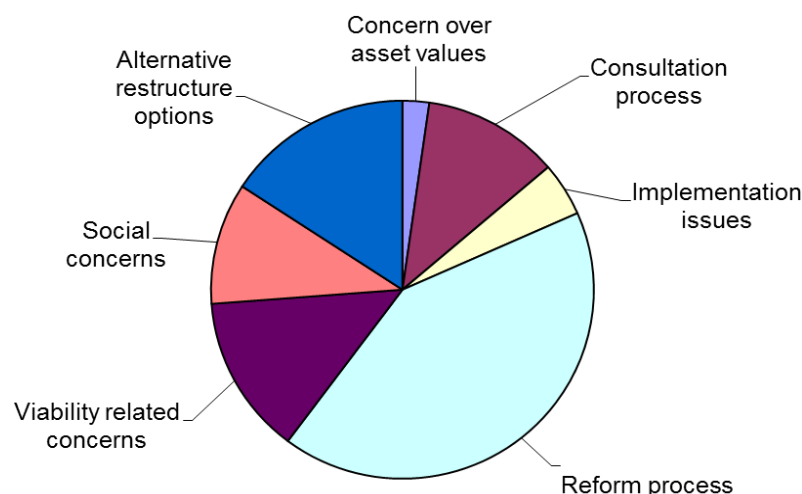


Figure 20: General comments made by commercial fishers (1,846 individual comments)

⁶ Note that concerns relating specifically to linkage options, such as immediate costs associated with linkage options and ITCALs used as the basis for the options, have been included in earlier fishery specific sections of this report.

6.1.1 Reform process

In total, 786 comments were received from the 379 individuals who provided feedback as part of the consultation process on the commercial fisheries reform.

The most frequently cited comments related to the need for reform; 141 individuals (37% of 379 individuals) indicated that they felt there was no need for industry-wide reform, with 79 indicating that latent effort was not a concern in their particular fishery (Figure 21). When examined at the fishery level, this had been recorded at least once for every fishery; having been indicated by between one (for several regions for EGET, EGMC, EGP) to 22 (OTLLW) shareholders in each fishery. The most frequent use of this comment was by shareholders in the Ocean Trap and Line Fishery (OTLLW, OTLD, OTLE) and the Ocean and Estuary Prawn Trawl fisheries (NFT, ISP, OSP and EPT(HAR)), Appendix 9.

A range of other concerns were voiced as identified in Figure 20. Examples of the range of comments that fell within each of these categories are provided in Appendix 3.

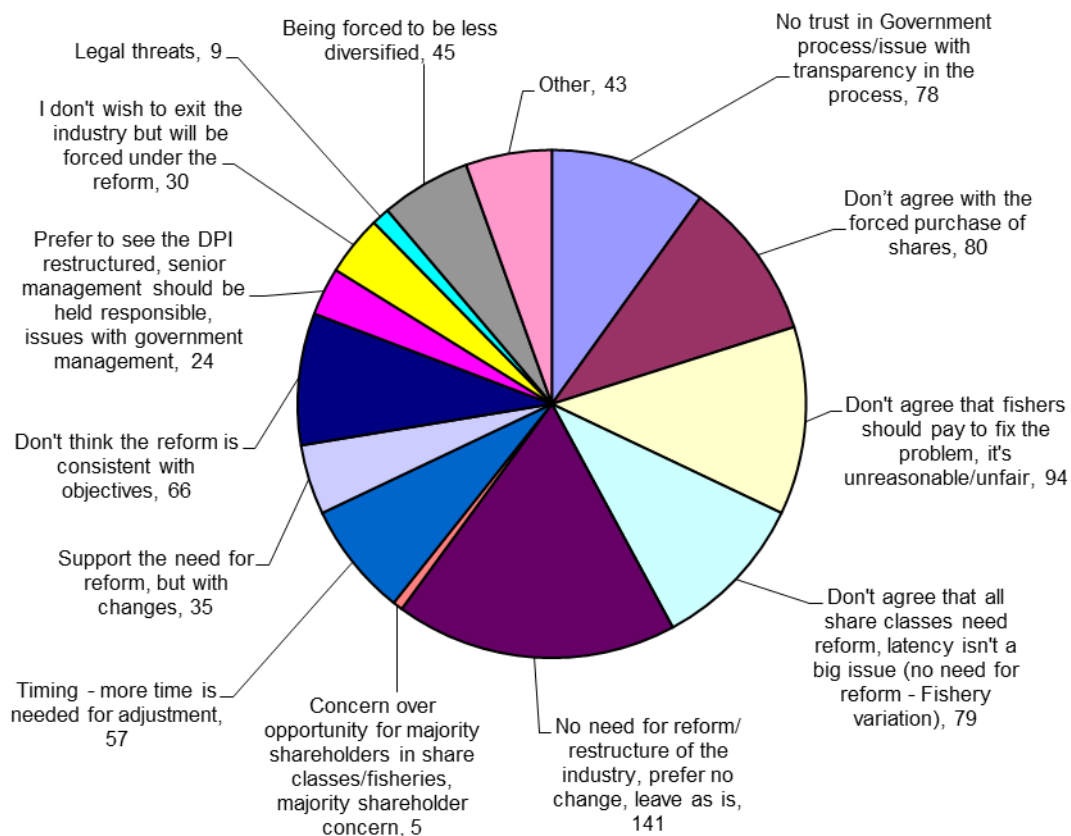


Figure 21: General concerns about the reform process raised by commercial fishers (n=786 individual comments)

6.1.2 Restructure options (alternative structural adjustment suggestions)

A range of suggestions relating to structural adjustment that focus on the use or timing of exit grant funds were also provided in submissions. In addition a few suggestions were also made in regard to strengthening the industry through development/promotion. The full range of comments are outlined in Appendix 10.

Industry promotion and development

Ideas came forward for:

- Marketing - incorporate marketing into the reform, encourage the community to buy Australian seafood and reduce imports through better marketing (8);
- Research - research into efficient equipment/products/methods, also into proposals to open lakes/estuaries to commercial fishing, to cover observer programs monitoring the impact of the reform in the short and long term (1);
- Scholarships - funding for scholarships for fishers to be awarded to industry leaders as voted by their peers to undertake training and acquire degrees to return to the industry and conduct management positions in their fisheries, resulting in self-managed fisheries. Subsidies for training and accreditation (1); and
- Capacity development/stewardship - support and develop the capacity of fishers to be environmental champions of the fisheries they participate in, fishers are guardians of the environment that sustain their fishing businesses (4).

Exit grant/structural adjustment funding

In regard to the \$16 million structural adjustment funding that is available, a range of comments and ideas came forward. Generally these comments fell into one or other of the following groups:

- Support for running the exit grant process first and then dealing with any remaining latency issues afterward (39);
- Support for the use of funds to allow for the exit of those who voluntarily wish to leave the industry, via a buyout mechanism rather than exit grants (50); specific mention was also made of support for buying out older fishermen (10);
- Support for a targeted compulsory buyout to remove latent businesses (36), where fishers are either excluded from re-entering permanently or for a set period 5-7 years (27);
- Support for a tender to remove latent businesses (26);
- Support for both the redistribution of shares (7) or the cancellation of shares and businesses once a sum had been offered and accepted for exit (27); and
- Support for an alternative to exit grants or buyouts in the form of a levy. A contribution to be agreed, established and contributed to by fishers for future buyouts (18).

Shareholders were particularly concerned that:

- The \$16 million in adjustment funding is not enough, support was provided for more money to be on offer for exit grants/buyouts (23);
- The cost of purchasing shares will be high, support was provided for low interest rate loans to be provided by the Government (7), but also for a delay to the exit grant process which may alleviate the inflated share price (18);
- There is the potential for investors to corrupt the system and a range of considerations were identified (25); and

- The money should not be used as an exit grant or buyout for failed businesses, it should go to fishers who stay (5), also that exit grant should be unavailable to fishers who have received buyouts in the past (2).

Although shareholders were not asked specifically about leasing, several comments were made suggesting this should cease as part of the changes (EGF, OTLS&G). Others made suggestions to keep it, one suggesting that: *“Leasing licences to pay a leasing fee to fisheries, \$100 per week, to be paid by business owner, minimum of 6 months with contract written up by Business owner”*.

Other general reform suggestions included:

- Move from a share based structure to a single and equal endorsement, with no provision for holding more than 1 share in any particular fishery, for any single fishing business. This will allow diversity and flexibility for fishing businesses without introducing concentration and unfair advantage.
- Change the focus of DPI to be compliance of state fishing regulations and actively protect the rights of fishers. The fishery representatives must have veto power for all management decisions, options and changes.
- Allow the NSW fishing industry to self manage the administration of fishing licences, fee collection and consultation. The fishing industry is capable of appointing administration staff as required to issue or revoke licences, collect and administer fees, disseminate information and ensure collective consultation of all licenced fishers.
- Evaluate latent effort at the business level within each fishery (rather than overall) to ensure the viability of multi-endorsed businesses. The capacity of fishing businesses should be looked at.

6.1.3 Viability concerns

In addition to the concerns relating to immediate costs associated with the linkage options identified in the previous fisheries sections in this report, a number of more general viability concerns were identified by commercial fishers (Figure 22).

Overall, the most frequently identified viability concern was that the individuals who make up the industry may not have the ability to survive the changes proposed under the current reform (88 respondents indicated comments to this effect).

Respondents were also concerned about the potential flow on effects the reform may have on fishing cooperatives and other fishing infrastructure and transport providers.

Additionally, respondents indicated that they are concerned about future access to fishing grounds (27), indicating that they want security over access to fishing grounds with no increase in the number of Recreational Fishing Haven's (RFH's).

One fisher suggested energy efficiency evaluations/audits may be a way to improve viability – i.e. profitability over the longer-term (Figure 22).

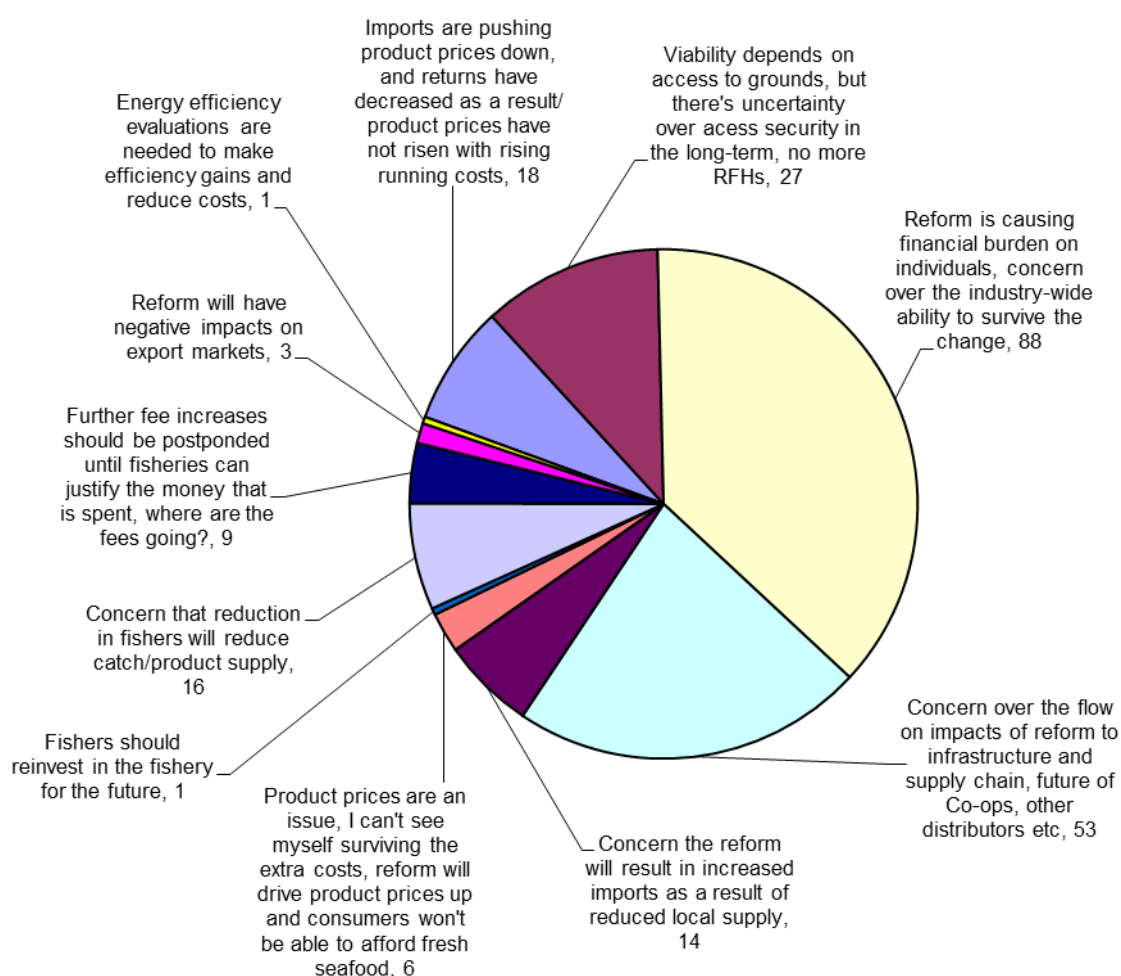


Figure 22: Viability concerns and issues raised by commercial fishers (n=236 individual comments)

6.1.4 Asset value

Respondents also indicated concern over the potential impacts on the value of assets they hold, and the impact it may have on shares into the future.

Twenty-three respondents indicated that they were concerned that the reform is devaluing shares or reducing their asset value, an example provided: *"we can fish 365 days now, down to xx days (in future) = less potential entitlement / access)"...."no one will invest in an endorsement where you can only work 4 days"*.

Fourteen respondents indicated that the options presented devalue the investment they have already made in their fishing businesses (i.e. they don't like that the reform shifts value to shares rather than fishing businesses). Examples of comments provided are:

- *"Fishers superannuation is the value of their fishing business, the reform will devalue their fishing businesses as they stand today."*
- *"The reform options give no protection to business owners property value."*
- *"This reform puts my business at risk of being cancelled, without compensation, or with inappropriate compensation (i.e. share values may be decreased and shares may be the only part of business that is sold. Other assets such as boat gear etc. become surplus and will unlikely recover their purchase costs)."*
- *"Entitlements should not be eroded."*

A range of specific price estimates were also provided by shareholders as part of the examples provided above. For example, one fisher stated that he would have to invest in excess of \$100K just to continue fishing as he has done in the past.

Thirteen respondents also indicated concern over buying more shares when the future value (after the exit grants process and reform) is unknown. For example:

- “Fishers are wary of buying more shares when the outcome of reform is unknown.”
- “The papers do not quantify by how much the value of shares will improve. I believe shares will decrease in values as the current shares have no limit as to their catch, and the new share will have their allowable catch attached to some form of quota.”

6.1.5 Social/lifestyle issues and concerns

In total 206 comments were in relation to social issues and concerns that some fishers view as being a result of the reform process.

The most frequently identified concern within this sub-set of concerns was that the reform will “*drive fishers to operate illegally, selling product on the black market*” (58/206 comments).

Of equal concern is that the process of reform is creating a large amount of pressure on fishers. A range of respondents noted that the uncertainty surrounding costs or expectations that costs will be high is stressful as they feel there is potential to lose their homes, jobs and families in some cases (61/206 comments fell into this category) (Figure 23).

Commercial fisher respondents also indicated that there is concern that the reform is removing their work choices (44), as many fishers wish to remain small-scale, part-time fishers, particularly those who are nearing retirement age.

Examples of comments provided within each of these categories are included in Appendix 3.

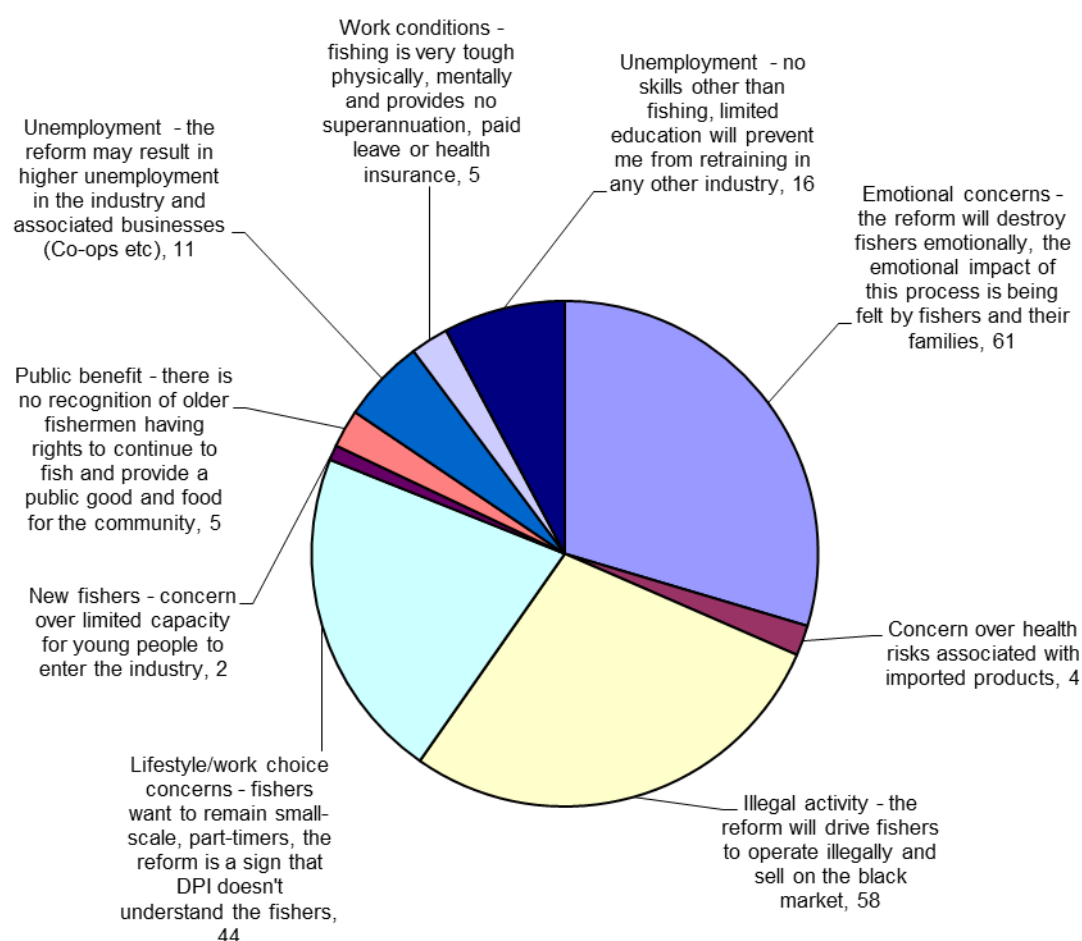


Figure 23: Social/lifestyle concerns and issues raised by commercial fishers (n=206 individual comments)

6.1.6 Consultation process

In total 222 comments were received relating to the reform consultation process.

The majority of consultation related comments indicated that they felt that consultation on the reform had not been sufficient, that more consultation was needed and that further explanation was needed on the information provided (125/222) (Figure 24).

Some (within the 125) indicated that their ideas had not been heard, that working groups were not representative enough, that more information/explanation was needed as to why the proposed changes were being put forward and what they mean for Aboriginal commercial fishers.

A range of ideas were put forward (by 25 respondents) relating to management committees, industry bodies, boards and working groups, indicating support for one or other type of industry based consultative group. Examples are provided in Appendix 3.

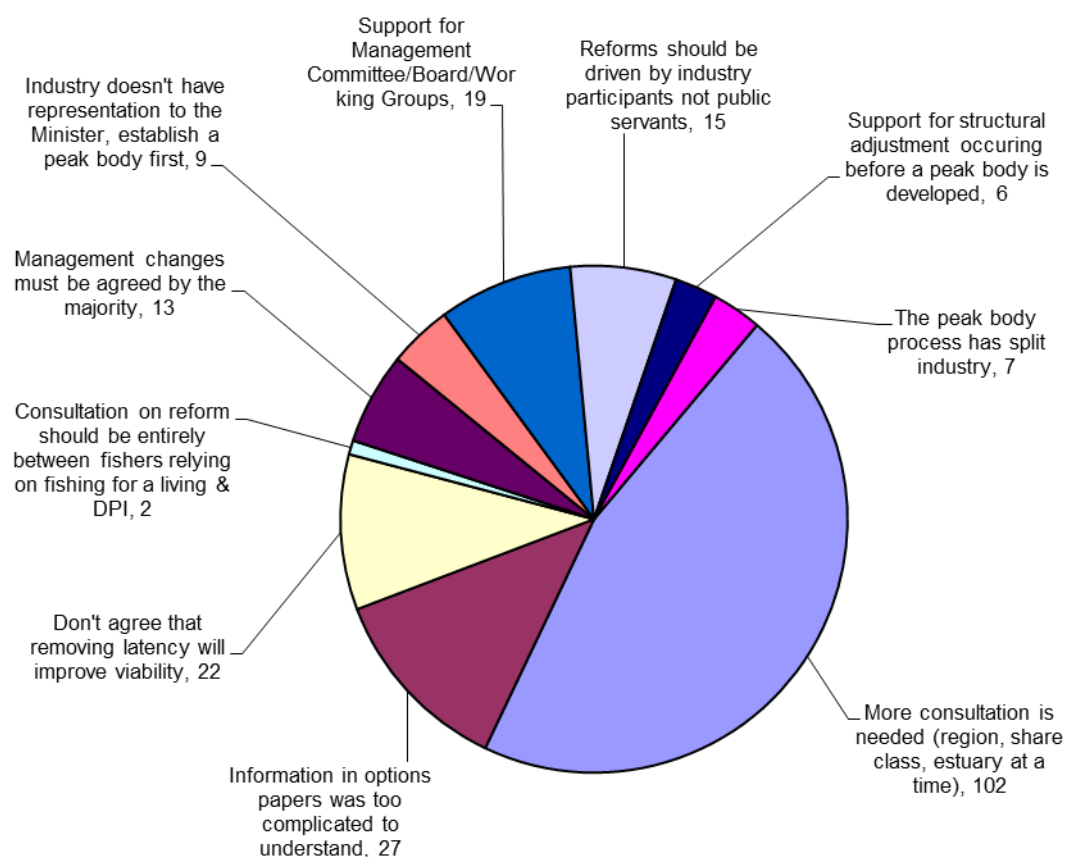


Figure 24: Consultation concerns and issues raised by commercial fishers (n=222 individual comments)

6.1.7 Implementation

A range of implementation issues were also raised by respondents. The 102 comments received on this topic were related to either: cost recovery/fee setting, monitoring and compliance, reporting, management plans, viability studies and stock assessments.

Nineteen focussed on the need for more monitoring and compliance of recreational fishers, and the need for cost recovery to also be shared by recreational fishers, including pensioners who currently are exempt from holding recreational fishing licences – see examples at Appendix 3.

6.2 General concerns raised by other industry participants and representative bodies

Thirteen other industry participants such as fisherman's cooperatives, fish merchants associations, slipways, fish markets, etc. who represented a number of other individuals also lodged submissions.

A total of 190 general comments were received in the 13 submissions from these other industry participants, and they were similar to those voiced by commercial fishers (Figure 25).

The reform process, viability issues and alternative uses of the \$16 million structural adjustment funding were the most frequently mentioned issues (25%, 27% and 17% of comments respectively).

Within each of these categories a number of sub-classifications were also identified, a breakdown of each of these is also provided below.

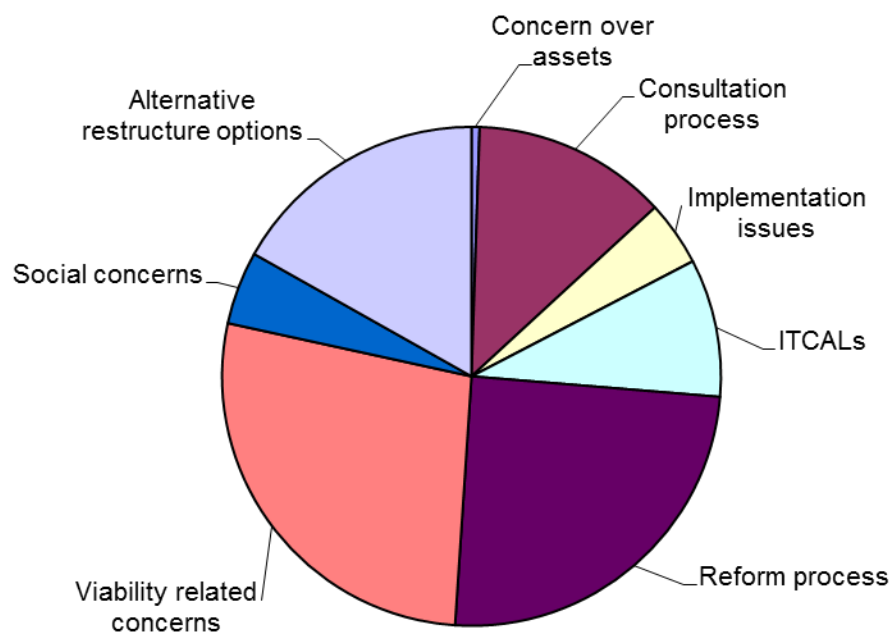


Figure 25: General comments made by industry representative bodies/participants (n=190 individual comments)

6.2.1 Reform process

In total, 44 comments were received relating to the reform process and these fell into a number of comment categories (Figure 26).

Most of the industry representative bodies/participants indicated that there was some need for reform but with changes to the options presented, and also that not all share classes needed reform.

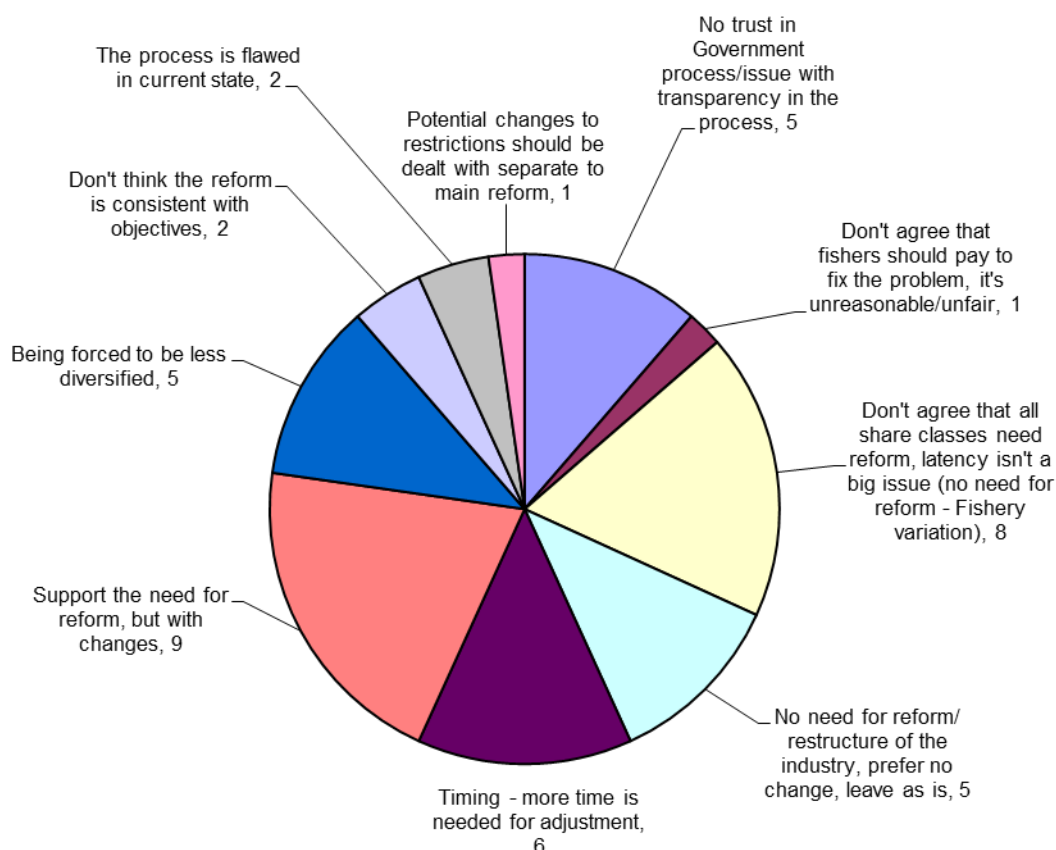


Figure 26: Concerns about the reform process raised by industry representative bodies/participants (n=44)

6.2.2 Viability

A total of 51 comments were made in relation to viability. These have been broken down into two figures below (Figure 27 and 28). The first is comprised of comments associated with costs; the second relates to viability in the broader sense.

Specific details were also provided by these industry participants indicating estimated costs of the reform on businesses; for example:

- Ocean Trap and Line - if endorsement prices were only \$20,000 per licence for 36 days a year, it would cost one fisherman an extra \$180,000 to work 365 days a year;
- Estuary General - if the options for days is chosen then each fisher will have to buyout at least 6 times the shares they currently have at a cost of around \$100,000;
- For EPT Option 1 minimum shares, a fishing business will be required to purchase one package of shares to reach the additional 143 shares required costing currently \$5,000. This level of investment will never be returned, the expenditure will not improve the fisher's economic return;
- In the real world to meet min shares a fisher is going to buy a complete share package (150 shares), value approx. \$15,000, which will allow the fisher access he already has now.

Concern has been raised over the cost of purchasing enough shares to maintain fisher's diversified shareholdings. Industry representative bodies have indicated that: many fishers need to remain diversified in order to remain viable, stating that fishers will operate in several share classes in one day to ensure efficiency and focus on the most viable share class years, depending on season and markets etc. Fishers are concerned over having to focus operations into a smaller number of share classes, reducing the ability to diversify.

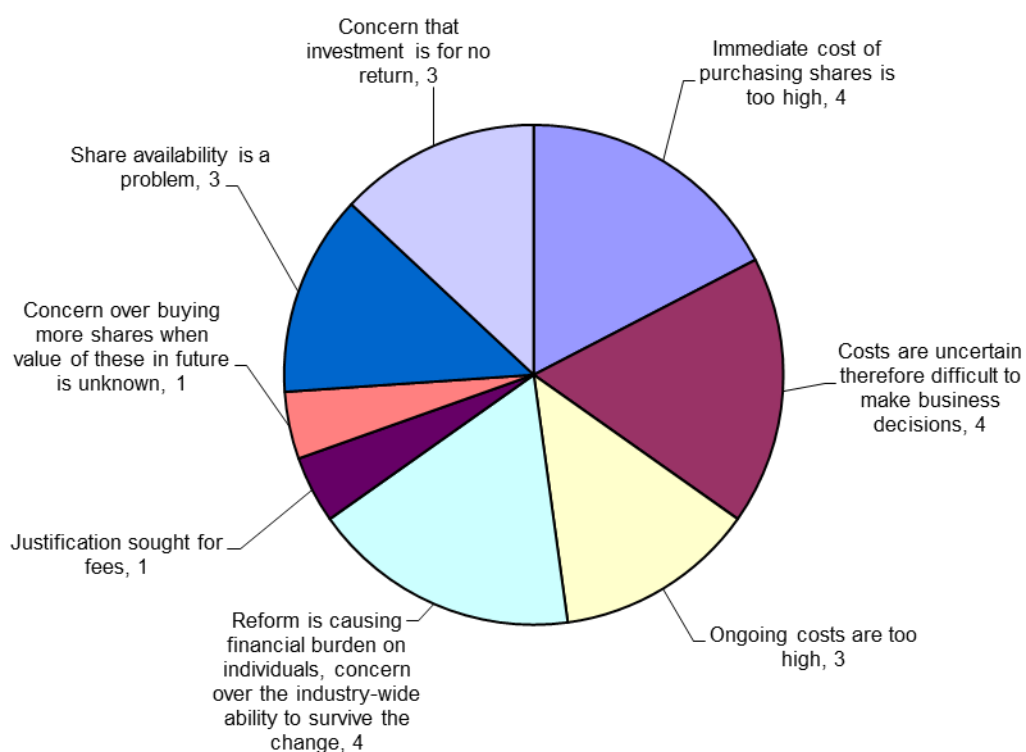


Figure 27: Cost concerns raised by industry representative bodies/participants

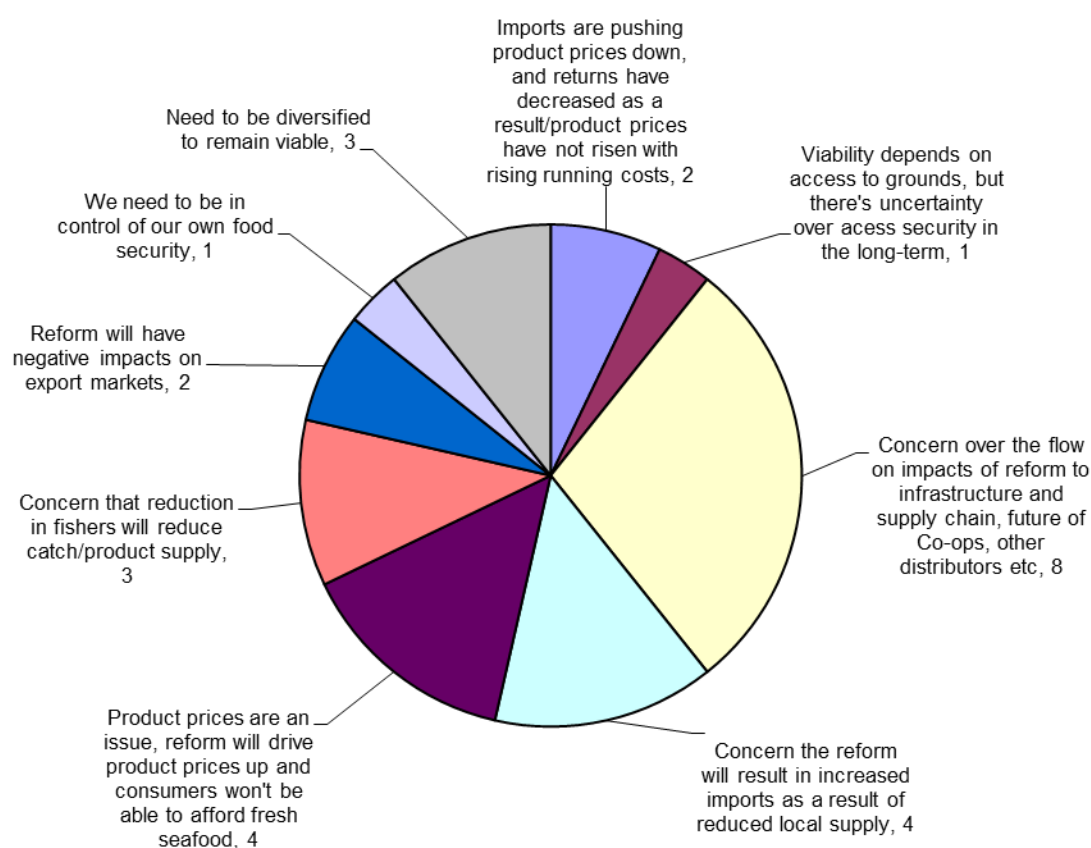


Figure 28: Viability concerns raised by industry representative bodies/participants

6.2.3 Restructure options (alternative restructure options)

Industry representative bodies/participants also provided feedback on adjustment and the use of the \$16 million structural adjustment funding (Figure 29).

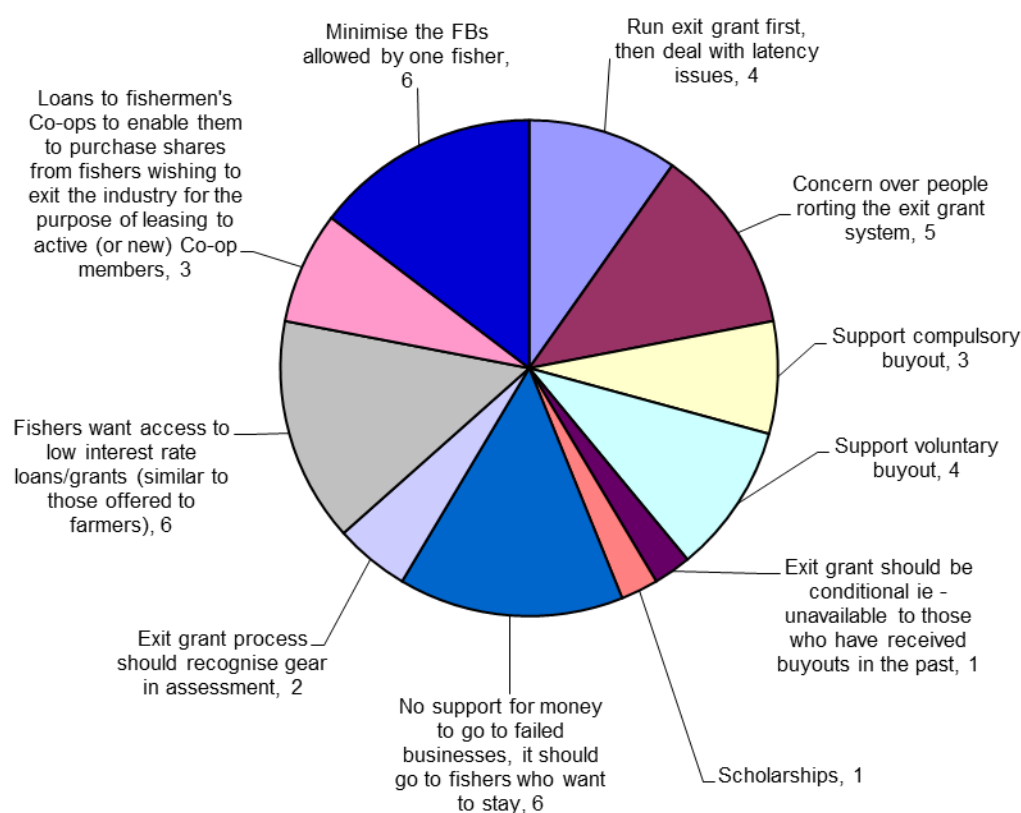


Figure 29: Restructure concerns, issues, comments raised by industry representative bodies/participants

Additional specific comments provided by industry representative bodies/participants included:

- Consideration needs to be given to whether a better outcome would be achieved if the \$16m structural adjustment package (or possibly a larger sum) is used for the purpose of a buy back with the shares acquired in this process being:
 - held in a "share bank" by Government and sold to those fishers who need the acquire shares; or
 - cancelled and the catch effort either removed or redistributed across the remaining shares in the respective share classes.
- Many low activity or inactive fishers may, for various reasons, wish to retain their shares and derive an income from lease payments. Likewise active fishers, due to the need to retain diverse businesses, will at times have shares that they are not currently using. An open and transparent lease market would enable these shares to be leased to other fishers who may not have the capacity to purchase or who may need short term access to additional shares. However, care will need to be taken to ensure that this does not result in an escalation in effort.
- When the buyout begins, work it on a stage process starting with allowing the aged fishers, say 65+ or disabled, tendering to exit with the complete removal of their business. Further thought would be required as to the following stages however this

allows a general focus on those wanting to legitimately exit versus those wanting to capitalise on a government scheme.

- Restructuring each share class one at a time (rather than all at once as is the current scenario), enabling industry (to gain) energy and focus to deal with more complex undertakings at a time.
- The structural adjustment funds of \$16m could be used to provide loans to fishers wishing to remain in the industry.
- Minimum shares raised to 65 over five years with access to low interest government loans similar to farmer assistance.
- The PFA strongly recommended that a two-staged approach be taken:
First stage: Formation of the expanded working groups to analyse the industry's responses and preferred options. The groups need to look at the impact of the reform on each share class and each region and provide advice directly to SARC on the need and options per each share class and region. In addition to this, the \$16 million should be remodelled into a more buyout structured process.

Interim stage: Our industry has raised significant concerns with many unanswered components to the reform. As already highlighted, components regarding costings, the impact of the cost recovery and access. In addition, the establishment of a peak industry body needs to occur to ensure better consultation with the industry. PFA recommends that the second stage to the reform is not implemented until the following occurs:

- \$16 million buy back;
- No erosion of current access rights;
- Establishment of working groups;
- Cost Recovery Policy finalised;
- Costings provided for options;
- The MEMA review is finalised; and
- Establishment of Peak Industry Body.

Second stage: Dependent upon the outcomes from the Working Group and their advice regarding specific share classes and regions. The PFA recommends that whatever options are undertaken a commitment must be made by the Government that the industry not be subjected to any major reform for a period of at least 10 years (unless stock sustainability is at risk).

Note that additional comments for alternatives to the options presented that were specific to a fishery have been included in the previous fishery-specific sections of this report.

6.2.4 Consultation process

A total of 24 comments were received in relation to consultation processes, these were categorised into the following groups of comments (Figure 30).

Specific comment was made by industry representatives that significant regional differences occur and that these differences and issues should be dealt with separately, with some regions and share classes feel they do not need reform. For example, the number of shares available in some regions is not enough to create another endorsements and this should be looked at separate to the larger process as there is no risk of latent effort activating. Suggestion was made to take a more regional consultation approach, differentiating between share classes and regions.

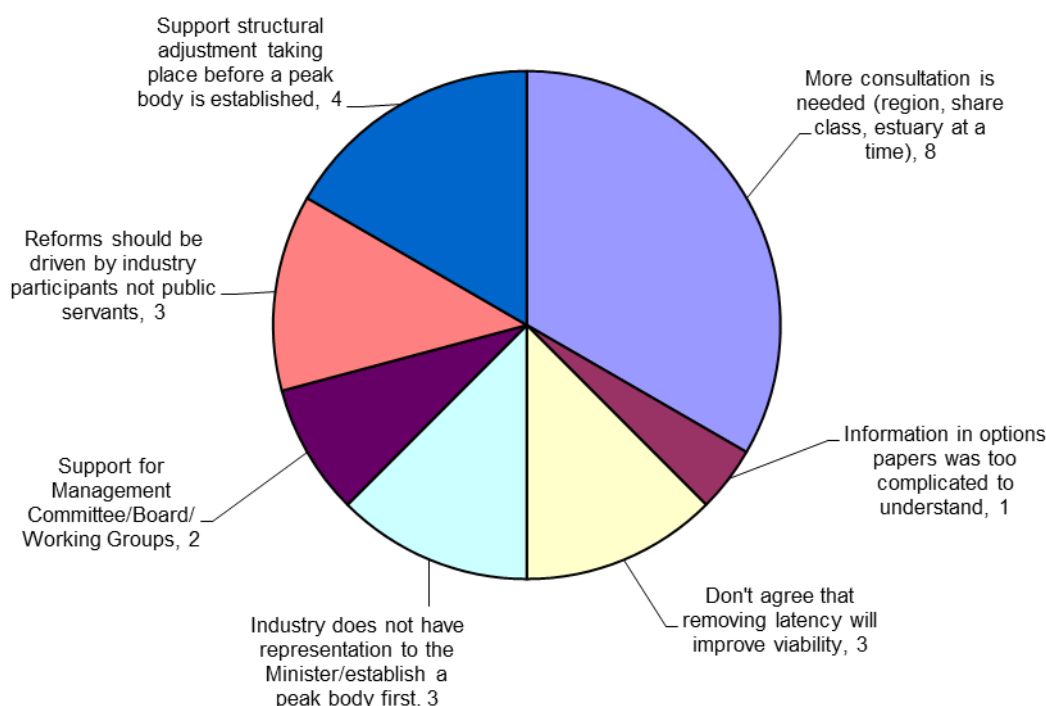


Figure 30: Consultation concerns and issues raised by industry representative bodies/participants

A range of suggestions were put forward relating to further consultation (Appendix 3).

6.2.5 ITCALs

Overall there were 14 comments relating to ITCALs from industry representative bodies/participants; these fell into five comment categories (Figure 31).

Industry representative bodies have indicated one of the main issues that industry has had with the reform is that: the ITCAL setting process has eventuated in a level of allocation that will not be entertained by the majority of fishers.

In part this is related to the misunderstanding by industry that “days reported” are days when product is weighed in, rather than active fishing days. Because of this, the use of days data in calculating ITCALs provides a reduced access level as compared to actual time spent fishing currently. As such, industry has indicated that for an option where shares would be linked to days fished, the ITCALs result in unworkable per share allocations.

Specific comment was also made in regard to the proposed minimum shareholding increases, indicating that they are too severe when there is little risk of these specific shares becoming active. Reasons provided were that not all shares are available, as many are held by fishers as a safeguard, for future use, for family, or as an investment and these shares are essentially not in the system or not for sale. The PFA submission suggested that some shares should be set aside outside of the process to allow for greater liquidity of shares (and so minimum shareholdings are lower than suggested in the options papers).

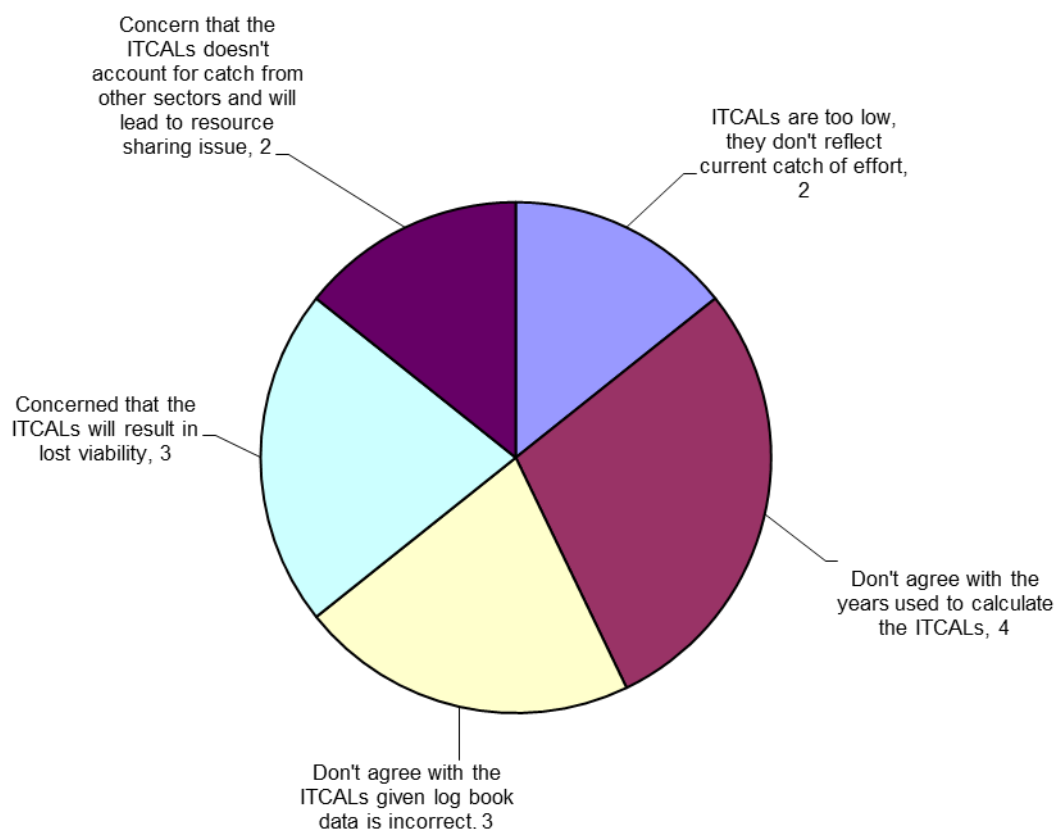


Figure 31: Comments about ITCALs made by industry representative bodies/participants

6.2.6 Social issues

A total of nine comments from other industry participants related to social concerns:

- four indicated that the reforms may result in higher unemployment in the industry and associated businesses (cooperatives, etc);
- two indicated that the reforms will drive fishers to operate illegally and sell on the black market;
- two indicated that the reforms, including the uncertainty of costs and the extent of change, are having a big impact on fishers and their families (emotionally); and
- one indicated that fishers have rights to continue fishing as they provide a public good (food for the community).

7 Summary of responses from the public

Feedback from Public (non-commercial fishers)

- 534 submissions
- 5 petitions/form letters with 545 signatures

This section summarises the responses received from the public, meaning anyone other than commercial fishers, shareholders, nominated fishers and industry representative bodies/participants.

This section is not presented in a fishery specific manner as most comments related to changes to existing fishing restrictions and not fishery-specific linkage options that were presented for comment.

7.1 Public feedback on linkage options for commercial fisheries reform

Most of the 534 public submissions provided general comment on the reform and not on the share linkage options presented.

Only 14 of the public submissions provided feedback on the options presented for linking shares to access rights. An indication of which options were viewed as most satisfactory, satisfactory and least satisfactory is contained in Appendix 11.

Specific comments provided in relation to the linkage options are outlined below (Table 44).

Table 44: Summary of level of satisfaction with the linkage options in public submissions

Additional comments provided by the public (non-commercial fishers) on linkage options
• I prefer that the strongest share linkage option is used wherever possible throughout all fisheries, i.e. catch quota, followed by effort quota and lastly minimum shareholdings. This provides you with greater confidence the fishery/fisheries can be managed sustainably, long-term security of fishing rights for commercial fishers, public benefit, short-term efficiency improvements for commercial fishers, improved controls over fishing catch or effort, likely to assure accessibility to quality Australian seafood into the future. • For the Ocean Trawl Fishery all sectors should have minimum shareholding, hull unit day effort quotas and catch quotas for relevant species. • Believe that deepwater prawn trawl is a high risk activity from an environmental management point of view, and that a catch or effort quota system is appropriate for this fishery as opposed to merely managing minimum shareholdings. • I can only support Option 1 and 2 of the options presented as from my experience a considerable portion of the commercial catch is sold on the black market, Option 3 and 4 would not remedy this (1 individual commenting on EGF, EPT, OH and OTL). • There should be a no take limit on gemfish and catch quota with stronger limits must be placed on the catch of deep sea species as it will create sustainability issues. • Additional ITQ's for selected species would be preferred. • OTL - Demersal, LE, SC, SGS, Reject options if in addition to days quota - would cause a disproportionate relationship between a day of quota and amount of fishing power. Maybe for the OT&L fishery introduce weekend and public holiday closures to reduce the number of days and reduce conflict between the recreational and commercial fishers. • Line East/West - Assuming days quota for LW and kg quota for LE, then days on which any other species are landed by LE fishing for non-quota species. Simplifies also fisheries compliance a commercial vessel, displaying a FB number, with hooks on board at sea must report LW days quota usage. • School shark should also be linked to catch quota as is suggested for gummy shark to ensure adequate and integrated management of the school shark component of the fishery. I believe quota should be applied to the mussel and cuttlefish components of the fishery even though catches for the last five years have been negligible, as there is potential for the take of these species to increase in the future with no limits on total catch. • We do not support the removal of the 6 month pipi closure (Option 2), as we believe the population needs this period to re-establish and provide a food source for shore birds. • Options based on actual catch rather than fishing effort may be more appropriate as shares would be linked to actual revenue through actual catch rather than potential revenue through potential catch. • We do not support days for trapping as a fishing day has not been defined and should long-life bait become available a day trap could equate to much longer fishing periods. • A share is a share, there must be equity across individuals and groups within the industry. • Should enforce minimum shareholding in each share class to ensure everyone is on an even playing field.

Additional comments provided by the public (non-commercial fishers) on linkage options

- Link current shares to current gear. Any future reinvestment should be done based on a focused business growth rather than survival. This must go to an industry share class vote not be agreed on by a few.
- ITCALs should be set at current levels.
- Do not support that the current ITCALs only appear intended to operate for some NSW fisheries that land particular species. Other fisheries may land the same species which gives rise to a risk of quota evasion, unregulated increases in catch by non-quota fisheries and quota rights being eroded.
- We would like to see a management regime, which embraces the retention and landing of all captured species regardless of whether they exceed quota or are a restricted species. The reality is that with rare exception most of these unwanted or non-allowed species are returned to the water dead or have limited survival prospect. To reliably manage our fishery resources we really need to know what the commercial sector actually takes - in totality. It would be easy to dismiss this style of management as an opportunity for the commercial sector to adversely impact on fisheries resources to earn an extra dollar but this risk could be mitigated and managed by a process whereby the proceeds of sale of all fish species captured and landed in excess of quota/by-catch limit would not be for the benefit of the commercial fisher but placed into a Trust account which could then be utilised for fisheries research. The benefit would be no resource waste and finally a realistic account of the impact commercial fishing has upon our fishery.
- Quota should be able to be transferred to restricted licences with the ability to void the restriction if they attain the species quota i.e. pipi quota onto a worm only restricted licence in the hand gathering fishery.

7.2 Public feedback on current restrictions (general)

The proposals to potentially remove the current default maximum shareholding of 40% of the shares within a fishery and remove the current restrictions on foreign ownership of shares received the largest response, with 83 individuals disagreeing with each of these proposed changes.

Very few responses were received in relation to other potential changes (Appendix 12).

Ten responses were received in relation to the potential to remove weekend closures, all were opposed.

Twelve responses were received in relation to the potential to include yellowtail kingfish and tailor as conditional target species in the Ocean Hauling Fishery, all were opposed.

7.3 Public feedback on potential changes to existing closures (estuary netting)

The majority of public submissions (417/534, 78%) focussed on the potential changes to current fishing closures identified in the options paper for the Estuary General Fishery – netting component. Specifically, submissions focused on the proposal to allow meshing in some estuaries where that method is currently not permitted.

Most respondents (406/417 respondents) were opposed to any increase in access to either one or more of the estuaries/creeks identified (Appendix 13).

Opposition to changes in estuaries was most frequently indicated for: Merimbula Lake (123), Bournda Lagoon (72), Bonville and Pine Creek (60), and Boambee and Newport Creek (47).

Additionally, of the 417 submissions focussing on estuary meshing, 164 indicated that they were opposed to the potential amendments across all of the estuaries/creeks identified.

One submission indicated they were in support of the potential amendments across all estuaries/creeks.

In addition to the above, five form letters/petitions were received with 545 signatures combined, which focussed on the issue of netting in estuaries.

Four form letters/petitions were opposed to the changes proposed to current fishing closures in specific estuaries, Lake Illawarra (38), Merimbula Lake and Pambula River (38), Boambee, Newport and Bonville Creek (24) and Bournda Lagoon (288). One was opposed to potential amendments in all estuaries identified in the options paper (165).

Ten respondents indicated that the issue of netting in estuaries and the inclusion of other potential changes to current restrictions should be undertaken separately to the proposed reforms on linkage options. One of these respondents also indicated that these estuaries should become Recreational Fishing Havens (RFH's).

7.3.1 Reasons as to why the public were opposed to changes that would allow netting in estuaries

A range of reasons were also provided as to why the closures should not be changed; these largely fell into the categories identified below (Figure 32).

The most frequently identified reason by individual public submissions were ecological concerns (84% of respondents to the netting proposals cited ecological reasons), social impacts on recreational fishers (55% of respondents), and impacts on tourism (49% of respondents).

Reasons were similar in the form letters/petitions: 93% of the 545 signatures included ecological concerns and 42% included concerns over the social impact on recreational fishers. However, the impact on cultural values was more of a concern for this subset of respondents, with 51% indicating concern for the potential impact on Aboriginal cultural heritage values (Figure 33).

Typical comments received under each of the categories of concern are identified in Appendix 14.

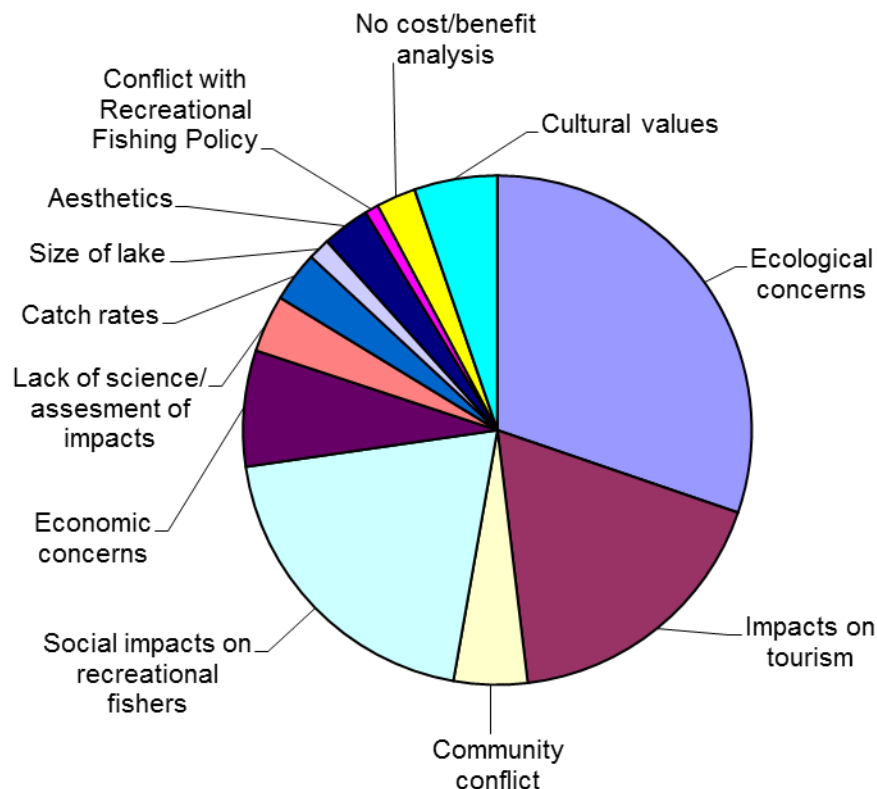


Figure 32: Reasons respondents (417) were opposed to the proposed amendments to netting in estuaries

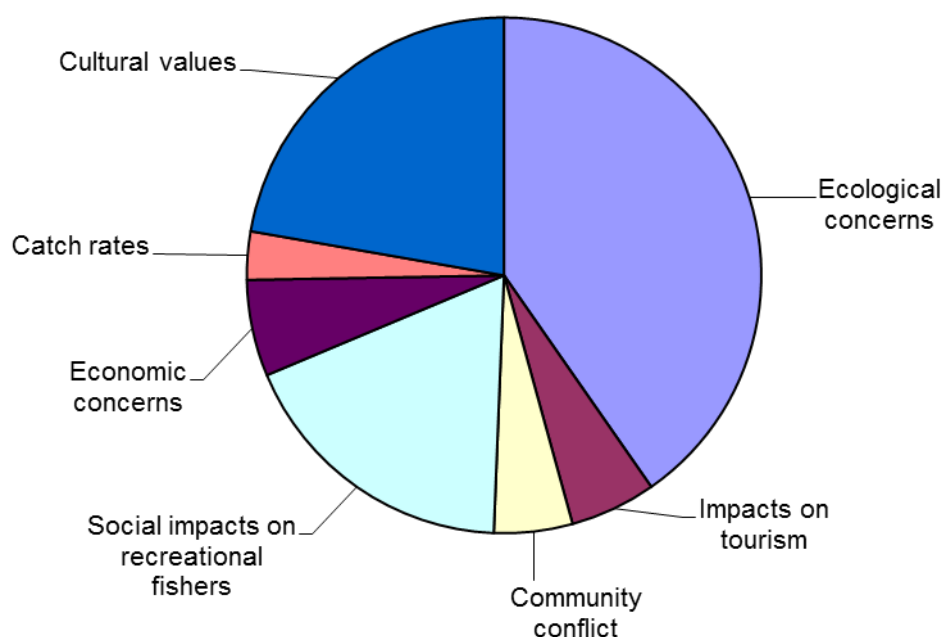


Figure 33: Reasons contained within form letters/petitions (545) opposed to the proposed amendments to netting in estuaries

7.4 Other general feedback from the public

General feedback on the reform process was similar to that provided by commercial fishers and other industry participants, and was classified in the same major categories (as outlined below).

7.4.1 General comments on reform process

Overall, 123 respondents (of 534 individuals public submission) indicated that they didn't think a reform was necessary or that the options presented weren't suitable; however, three submissions indicated that only some fisheries needed reform, and six thought the current reform didn't meet objectives or policy (e.g. Fisheries Policy).

Thirteen respondents indicated an issue with trust, either that they don't have trust in the reform process and/or the information being used to make decisions (regarding opening of estuaries to netting or other proposed changes). The majority of these comments were related to the proposals for potential changes to current restrictions for netting in estuaries.

Eighteen respondents indicated support for reform but with some changes, with three specifically indicated that they were in support of implementing catch limits.

Some support was shown for commercial fishers and the service they provide in supplying wild harvest/fresh Australian seafood to the public (12), and in providing bait to recreational fishers (1).

Concern was voiced over the forced purchase of shares (or alternatively a forced exit from the industry), with some respondents indicating that they felt this was unfair to existing commercial fishers (15). Timing was also raised, in that more time is needed to allow for adjustment (5), and concern over a reduction in diversified fishers (1).

Cultural concerns were also raised (1), indicating that the reform has potential to reduce Aboriginal participation in the commercial fishing industry, reduce economic development opportunities, and reduce the availability of fresh Australian seafood to Aboriginal communities who benefit from Aboriginal commercial fishers. The respondent stating: *"Aboriginal participants in the NSW commercial fisheries have an inherent right to be there"*

and this right needs to be protected by the NSW Government by preserving the existing levels of participation in the industry”.

Two respondents were opposed to commercial fishing indicating that the Government should focus more on recreational fishing and tourism rather than commercial fishing. Six indicated that there should be a shift toward and focus on increasing aquaculture rather than pursuing commercial fishing.

The need for a socio-economic study was raised by four respondents who indicated that it, along with a viability study, should have been undertaken prior to the proposed reforms, particularly in relation to the potential to opening estuaries to increased commercial netting, e.g. *“Use peer reviewed scientific research to determine the viability of all sectors within the fishery. The papers do not consider the need to reduce fishing effort to give scope for increasing impacts of: ocean warming; ocean acidification; sea level rise; loss of nursery habitats; and other results of climate change”.*

The need for stock assessments (3) and the use of sustainability measures as the basis for fisheries management plans (7) was also raised.

7.4.2 Consultation

A total of 152 public comments were received relating to consultation: 123 indicated that more consultation is needed; 11 indicated that the information provided was too complicated to understand; two commented specifically that latency was not understood; five respondents indicated that they thought consultation should have been with commercial fishers only; and one raised concern that industry does not currently have a united voice (no peak body to represent them during this process).

Ten respondents indicated that they thought that consultation over the potential changes to current restrictions should have been separate to the linkage options for reforming the commercial fisheries in NSW (which should have just involved consultation with commercial fishers).

7.4.3 ITCALs

In total, 37 public comments related to ITCALs. Seven respondents indicated that they thought the proposed ITCALs were too high, with concerns over stock depletion/increased mortality specifically indicated, e.g. *“NSW DPI should invest in and carry out stock assessments for several east coast species listed as Uncertain, Undefined, Overfished, or just not known prior to defining any ITCALs rights to these species”.*

Two respondents indicated they thought the ITCALs were too low; five indicated that they thought the data used to calculate the ITCALs should not have been used (because of problems with data reported by fishers).

Eight were concerned that the ITCALs would reduce access and result in reduced viability for commercial fishers. Three were concerned about implications of ITCALs on resource sharing; five also indicated concern over the potential future change in ITCALs.

7.4.4 Viability

In total, 126 public comments were received relating to viability. Thirty-seven respondents indicated concern over the impact the reform may have on related infrastructure and business – e.g. *“Previous restructures within the commercial fishing industry have severely affected our slipway business, the local economy, local jobs and emotional wellbeing of the citizens of the town, we are concerned that the current proposed reform will have further impact”.*

Comments were made over seafood imports increasing as a result of the reform (34), over loss of export markets (6), reduction in product values (2), reduction in supply of fresh Australian seafood (6) and food security (1).

Respondents noted that: costs to fishers to remain fishing is too high (25); uncertainty surrounding costs makes business decisions difficult (4); concern about share prices being inflated (1); lack of availability of shares (1); and that the investment seems to be for no return (7).

7.4.5 Asset value

Five comments were made in relation to asset value. Three indicated that shares will be devalued in the future, one indicated that assets currently held will be devalued, and one indicated that the future value is unknown and this is of concern owing to the investment required.

7.4.6 Social concerns

A range of social concerns were raised, these comments (89 in total) fell into six categories of comments, Figure 34.

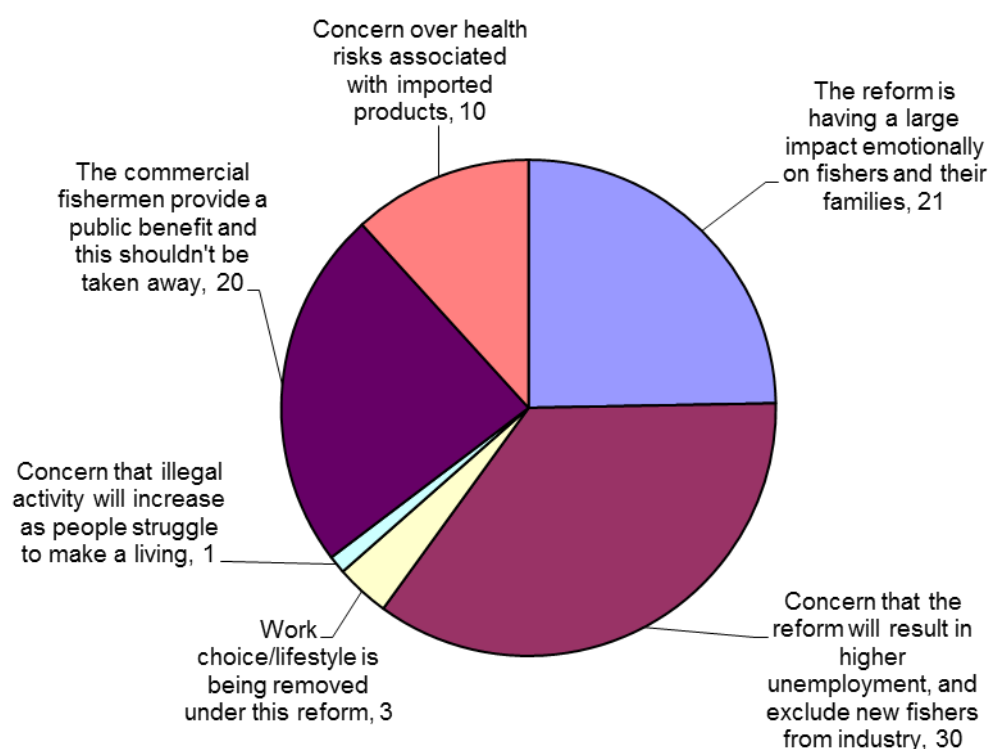


Figure 34: Social/lifestyle concerns and issues raised in the public submissions

7.4.7 Restructure options

Public submissions provided support for marketing and research work (5) and included a mix of views supporting compulsory (4) and voluntary (6) buyouts. One also indicated support for a levy; two thought that a buyout first would assist the problem and one indicated that the \$16 million structural adjustment funding should be enough.

Similar to commercial fishers and other industry participants, public respondents also put forward a range of ideas regarding the structural adjustment funds and the restructure more generally (Table 45).

Table 45: General reform comments by public (non-commercial fishers)

General reform comments by public (non-commercial fishers)
• Have a voluntary buyout with a set price of \$50,000, it may surprise you how many fishers will take this option, for the first round make the criteria that you must be over 65 years of age to be eligible and open the second round to all fishers. • Set a fee for surrendered endorsements, I know fishers that would happily surrender them for \$5,000. • Introduce a levy on all fish sold to fund future buy backs of latent effort. • Buy back or cancel shares that are not being used. • DPI should provide strong support for enhanced aquaculture in NSW; there is great scope to farm fish for our local markets given suitable scientific support. • The public need for seafood should be addressed with access to more quality and cost effective imported fish. • Protect the rights of the fishers wanting to continue to work within the industry with no further financial re-investment to maintain current levels of access rights. • Formalise an effective conditional voluntary buyout. There should be some parameters around the buyout to ensure latent shares are either dissolved or purchased by the government. • NSW Fisheries should take over ownership of all commercial fishing licences in NSW; lease them to qualified individuals for 1, 2 or 5 years. These licences should be person specific, species specific and zone specific by postcode and include annual and seasonal catch quotas not exceeding current catch levels. • Seafood must be obtained sustainably if future generations are to have access to it. More seafood to be produced via aquaculture. Seafood should be obtained from offshore locations e.g. imported. Offshore waters and abundant oceanic species need to be looked at to increase the supply of public seafood not the coastal lakes and estuaries, mullocky should be sold as an aquaculture/farmed species only. • There are 47 commercial fishers licensed to fish the Shoalhaven River of these 4 are locals. I believe the fishing rights for the non-locals should be cancelled as they do not respect the resource and only the 4 local commercial operators should be allowed access to the river. • I believe that \$16 million on offer is more than fair to bring about reform in the commercial fishing industry. • Money from the sale of recreational fishing licences should be used to buy up the latent commercial fishing businesses. • When implementing the restructure, it is critically important that consideration is given to assisting those fishers who wish to continue to produce sustainable fresh seafood for consumers. • Support for research into efficient equipment, products and methods. • Any proposal to increase fishing pressures on fish stocks and the ecological impacts such fishing creates would I think at least will require an independent scientific study to establish base line data and identify any potential environmental threats posed by commercial netting. • Government requires additional investment/resources to cover observer programs to monitor the impact of the reform process in the short and long term.

7.4.8 Implementation issues

Twenty-one comments were received relating to implementation issues; eight indicated that more monitoring/compliance is needed, including a submission that indicated enforcement should result in one strike and you're out. Three indicated that additional funds (and Fisheries Officers) will be required for monitoring post reform. Some suggestions were made: *"To improve enforcement that flathead nets are removed daily from the water, daylight setting hours should be four hours from sunrise, so fisheries could remove any net set at midday each day"*.

Reporting was mentioned by one respondent, who suggested that no change should occur, as the proposed changes would be too costly and complex.

Commercial Fisheries Reform Consultation Papers

Summary of Submissions Report

Appendices

Appendix 1 – Ministerial media releases announcing public consultation phase and subsequent extension to submission period



The Hon Katrina Hodgkinson MP Minister for Primary Industries Minister for Small Business

MEDIA RELEASE

Friday 11 April 2014

HAVE YOUR SAY ON COMMERCIAL FISHERIES REFORM

Commercial fishers and other stakeholders are now encouraged to provide feedback as part of the reform program for NSW commercial fishing, Minister for Primary Industries, Katrina Hodgkinson said today.

Ms Hodgkinson said the Commercial Fisheries Reform Program was developed in response to an Independent Review into NSW Commercial Fisheries Policy, Management and Administration in 2012.

"The proposed reforms involve linking shares in each fishery to either catch or fishing effort," Ms Hodgkinson said.

"The NSW Government has developed a \$16 million structural adjustment package to provide for fishers to exit the industry and to help others set up their businesses for the future.

"The reform program aims to remove unnecessary fishing controls and improve the general management of commercial fisheries in NSW.

"The reform options papers, prepared by the Department of Primary Industries (DPI), have been sent directly to commercial fishing shareholders, who can provide feedback using the included submission form, or by preparing their own submission.

"The papers are also publicly available online on the DPI website and all interested parties are invited to lodge a submission."

The released public consultation papers outline the reform options that may apply to each of the major commercial fisheries. These include:

- estuary general;
- estuary prawn trawl;
- ocean hauling;
- ocean trap and line; and
- ocean trawl.

Ms Hodgkinson encouraged all stakeholders to help select the best approach to manage and improve the viability of the NSW commercial fishing sector and maintain the supply of fresh local seafood to restaurants, wholesalers, and people who do not fish recreationally.

"It is important to note that no decisions have been made at this stage on the options for linking shares to catch or fishing effort in each commercial fishery," Ms Hodgkinson said.

.../2

- 2 -

"The only exception to this is for the spanner crab (northern zone) sector where I previously approved a link between shares and catch quota after consultation with those shareholders.

"DPI staff will visit a number of ports during the next six weeks to discuss the issues and options in the consultation papers with commercial fishers.

"At the completion of the consultation process, a summary of submissions, input from key stakeholder groups and advice from DPI will be provided to the Independent Structural Adjustment Review Committee (SARC).

"SARC will then prepare final recommendations for the consideration of the NSW Government."

All reform options papers and further information regarding the Commercial Fisheries Reform Program can be found at www.dpi.nsw.gov.au/fisheries/commercial/reform.



The Hon Katrina Hodgkinson MP
Minister for Primary Industries
Assistant Minister for Tourism and Major Events

MEDIA RELEASE

Friday 9 May 2014

**PUBLIC CONSULTATION ON COMMERCIAL
FISHERIES REFORM PROGRAM EXTENDED**

NSW Minister for Primary Industries, Katrina Hodgkinson, has today announced an extension for submissions on a series of options papers which propose changes to the commercial fisheries industry.

Ms Hodgkinson said the closing date for submissions on the Commercial Fisheries Reform Program has been extended to 5pm, Friday 30 May.

"The NSW Government is undertaking a comprehensive consultation process as part of the Commercial Fisheries Reform Program, which aims to improve the long-term viability of the commercial fishing industry," Ms Hodgkinson said.

"Before any key decisions are made, the Department of Primary Industries (DPI) will comprehensively study the range of views put forward during the consultation process, in order to make these options as fair as possible.

"It is important that fishers use this period to advise how they believe the options could be best modified or improved.

"The NSW Liberals & Nationals Government has allocated \$16 million to assist those commercial fishers wanting to leave the industry to do so, in the form of exit grants."

Ms Hodgkinson said this week NSW DPI Fisheries Managers completed a series of port visits, held at Sydney, Galston, Newcastle, Forster/Tuncurry, Port Macquarie, Coffs Harbour, Maclean, Ballina, Tweed Heads, Lake Illawarra, Ulladulla, Batemans Bay, Bermagui and Eden.

"I have personally met with a number of commercial fishers on the North and South Coasts and acknowledge that the issues are complex and some major concerns have been raised during the consultation process," Ms Hodgkinson said.

"I strongly urge commercial and recreational anglers, and other interested members of the community, to carefully examine the options papers and make a submission.

"At the completion of the consultation process the submissions, input from key stakeholder groups and advice from DPI will be considered by an independent Structural Adjustment Review Committee, which will then provide advice to the NSW Government."

The options papers and further information about the Commercial Fisheries Reform Program can be found at www.dpi.nsw.gov.au/fisheries/commercial/reform.

Appendix 2 – Validation rules for submissions

Validation rules

All submissions were entered into the database. Following analysis, submissions that were found to be duplicates were filtered out. Rules that apply to categorising entries under these headings are set out below, along with rules for the consistent treatment of all submissions.

Coding of submission comments for analysis

In order to analyse all comments received through submissions, a list of codes was generated covering the range of issues/concerns raised and reasoning/justifications provided for modifications and alternative options suggested (Appendix 3). By doing so, counts could be made of the number of comments relating to each issue/concern.

Duplicates

Examples include:

Multiples of the same submission from a person

- A person has made the same submission a number of times, usually via two pathways – i.e. hard copy in the post and emailing in the same submission as a PDF, or an email and fax of the same submission. In this instance, where it is obvious that this has happened, the original submission (either by email or post) was considered the submission, the second was considered as a duplicate.
- A person has completed and submitted a submission form or a written letter submission a number of times, or submitted photocopies of the same submission. In this instance, all copies after the first submission were treated as duplicates.

Different submissions from a person

- A person has entered duplicate submissions days or weeks apart and their submissions were different. In this instance the second entry as noted by the time and date was accepted as the entry and the earlier entry was marked as a duplicate. The justification for this decision was that the second entry would have most likely been made after further consideration of the issues by the person (i.e. it was apparent the person had changed their mind). In the case where a person had considered an issue further and had additional comments to make in a second submission, the additional comments were added to the first submission.
- Similarly, where a letter submission was received via the Minister's office and the same submission or similar was submitted via post and/or email to the submissions lodgement address, the later or more comprehensive submission was considered to be the submission so that additional comments were captured, and the earlier one considered a duplicate.

Multiple submissions from the same person that were not duplicates

Multiple submissions from the same person were only considered individually if:

- the person was representing themselves in one submission and an organisation or group in the other (also see group submissions below); and
- the organisation or group name was clearly indicated; and
- the person was authorised to make a submission on behalf of their organisation or group.

Where multiple submissions from the same address were identified, i.e. being from multiple family members, these were considered individual submissions – unless they

were identical submissions and from the same share class, in which case they were considered as per form letters below.

Form letters and petitions

There were instances of form letters amongst the submissions (letters photocopied and signed by individuals). In these instances, the original source of the form letter (i.e. a group or sector such as a group of commercial fishers from a particular share class) were accepted as a single submission and all other identical submission were considered and counted as form letters.

If a person had used a form letter response as the basis for much of their submission, but then varied their responses in at least one section, their submission was treated as a separate submission.

Email submissions

For submissions received via email, the text within the emails was considered part of the submission, along with any attachments.

Blank submissions

In some cases submissions forms were returned to the Department with a commercial fishing business number entered at the top of the form and no other information included, these were considered blank submissions. These submissions were entered into the database and “no comment” recorded for the entry.

Commercial fishing businesses

Multiple business numbers on one submission

Individual submissions often included multiple commercial fishing business numbers, as commercial fishers often own more than one business. In these instances, the submission was counted as one submission on behalf of the multiple businesses, and all comments were entered into the database as applicable to the share classes for which the comments were related.

Representations on behalf of commercial fishing businesses

The Department has assumed that business owners have submitted comments on behalf of their own business and been categorised as such (commercial submission by “shareholder”), unless otherwise stated.

In cases where it was identified (by provision of a name on the submission) that the business owner had not made the submission, for example a nominated fisher (who does not hold shares) or a permit holder had submitted on behalf of businesses, these submissions were categorised as “non-shareholder” commercial submissions.

Where commercial submissions were received that did not include a business number or name, these submissions were accepted, and where possible validation was applied to determine the source of the submission. As a result business numbers were identified for all shareholder submissions.

Where multiple submissions were received from one business, the first submission was entered and comments from the second submission were added to the first. This ensured that all comments were recorded for the various fisheries and share classes to which they applied.

Where it was evident that business numbers may have been incorrectly provided on submissions forms (i.e. comments relate to a region in which the business does not hold shares) these were also validated. As a result the business number for one submission was corrected.

Comments on share classes that are not owned by a business as part of a submission by a business owner, were still categorised as comments by a business holder, but identified as a “non-shareholder”.

There was one instance where past and current owners both made a submission as the business owner, both were categorised as business owners at the time of writing of their submissions.

Submissions were also received from industry participants, such as fishing cooperatives etc. These submissions were treated as “other industry participants”.

Feedback on options (Q1 – all commercial submission forms)

No indication of satisfaction of options presented

Some submission forms were returned to the Department with comments only and the question relating to which options were most satisfactory through to least satisfactory were struck out, with either a line through them or a cross or left blank or similar. In these cases, where no indication was provided of the level of satisfaction, this was left as an empty entry in the dataset in relation to this question. In cases where a comment was added to clarify the respondents’ sentiment regarding the options, this was recorded and categorised according to the classifications below.

All options viewed as not suitable

Where the options were struck out or left blank or the like but comments were added that indicated that the options were unworkable or none of the options presented were considered suitable/satisfactory, this was recorded as unworkable.

As a result “unworkable” was added to the satisfaction scale for data entry against each of the options presented, meaning that responses for individual options presented were categorised as either “most satisfactory”, “satisfactory”, “least satisfactory”, or “unworkable”.

“Unworkable” comments included any that covered the sentiment that all options were rejected, unworkable, not profitable, or none were suitable or satisfactory.

“Reject the reform” was also included as a comment on some submissions, in these cases this was coded as per the process, comment code = reject reform.

In other cases, the word “unworkable” had been added.

In some instances ticks or similar were added in the space provided rather than options numbers to indicate the level of satisfaction with the options presented. In these instances, it was not possible to determine the categorisation for the options. Therefore, these responses were categorised as “uninterpretable”, except where “unworkable” was indicated for all and/or indicated within the general comments section of the submission form.

In some cases option numbers were added to the space provided that were not applicable to the share class in which they were commenting – i.e. they may have indicated Option 3 was satisfactory, but there were only two options presented. In these instances, responses for options that were included in consultation papers were recorded, but those relating to option numbers not applicable were disregarded.

Other comments written in the free space following the questions were coded (as per the comment codes generated).

Multiple reasons ticked (Q2 - all commercial submission forms)

In some submissions one or more reasons were ticked to indicate why options were considered “most satisfactory”. Therefore, each tick was considered equal – i.e. no ranking of reasons was applied.

Questions received via submissions

Where questions were included in submissions, these were coded as “seeking information”. All other comments were coded as per the generated codes. The Industry Liaison Manager is seeking to follow-up with those who were “seeking information”.

Categories that describe a respondents’ main interest

The public was requested to select their main interest or affiliation on their submission form. However, some respondents selected multiple interests/affiliations. All interests were recorded with no ranking applied.

Letter to the Minister

Multiple letters were sent to the Minister regarding the commercial fishing reform. Those that were clearly in response to the options presented in the reform papers were forwarded to the Department for consideration as a submission. For example, multiple letters received regarding the use of commercial nets in estuaries.

Dealing with threatening and abusive submissions

Abusive statements were not considered as meaningful comments in regard to the options presented and were disregarded. Other comments within these submissions were coded as per the attached and included in the database.

Contradictory submissions

Some submissions included a response to the options indicating that an option was satisfactory or could be considered if a change was to occur, but then indicated later that none of the options were acceptable, or vice versa. In these cases, the data were coded and recorded as presented.

Illegible submissions

In some instances it was difficult to make out some hand written responses. Where this was the case, after a minimum of two data entry staff trying unsuccessfully to establish what had been written, the comment was disregarded. This was a very rare occurrence. Where only part of the submission was illegible, the remainder of the submission was coded as per the method applied to all other submissions.

Appendix 3 – List of general comments

Category	Issue	Examples of the types of comments provided (all stakeholder groups)
Blank	No comment	Nothing written (blank submission), may include business number or name but no comment.
Asset value	Concern over purchasing shares when value in long-term is unknown	Value of shares after the exit grant process/reform is unknown. Fishers are wary of buying more shares when the outcome of reforms is unknown.
	Concern the reform is devaluing shares and assets in long-term	The options devalue the investment fishers have made in their businesses. No one will invest in an endorsement where you can only work 4 days. Fisher's superannuation is the value of their fishing business. The options give no protection to business owner's property value. Elimination of LFB endorsements would be a direct financial loss to all current LFB holders who paid for their component of their fishing business. Boat size restriction has been important in investment decisions and business planning and will mean that current investment in building a purpose built vessel is wasted. FB at risk of being cancelled without appropriate compensation. Other assets such as boat gear etc. become surplus and will unlikely recover their purchase costs).
Consultation	More consultation needed	More specific (region/share class/estuary) consultation/information/more explanation of information, needed. Direction and facilitation of reform needs to be reconsidered. Still no consultation with commercial fishers. DPI and fishermen work together to achieve a mutual reform. There are better ways to link shares which is currently being worked on by the PFA. Industry as a whole needs time to come up with an agreed future fishery setup to take in local issues and needs for the different types of fishing regions. Lack of timely replies to email enquiries. More information and explanation needed as to what the proposed changes meant for Aboriginal commercial fishers. Undertake a review of the situation before proceeding further. Interested stakeholders such as tourism, rec fishing and environmentalists are only now invited to forward submissions. Stakeholders such as recreational fishers, chambers of commerce and local shires were not included in initial working group discussions.
	Information was too complicated	Don't fully understand the options. Options too complex for fishers to understand. No support for exit grant because it is too complex. Need more info on exit grant process. Delay process until adequate publicity within the industry and to the general public, about the proposed reform so that the issues can be discussed rationally.
	Don't agree that removing latency will improve viability	Buying extra shares does not increase viability, fishers are already working to maximum capabilities. Don't agree that removing latency will improve viability. Terminology of latent effort is mythical. No reference about businesses that use a diverse range of methods for seasonal sustainable harvesting. Most licences kept for the sole purpose of possible share increases. Latent effort has never been clarified to reveal what the reform process is getting rid of.
	Consultation should be with active fishers	Consultation on reform should be entirely between fishers currently relying on fishing for a living.
	Management changes must be agreed by the majority	Management changes must be agreed by the majority.
	Industry doesn't have representation to the Minister	Industry does not have representation to the Minister. Quarantine the funding allocated to industry until a cohesive group is established to work with the Minister and Fisheries to determine an effective future outcome for the entire industry.
	Support for Management Committee/Board/Working groups	Create management committees where fishers are democratically elected. Committees must have the power to initiate policies and not only be an advisory body. Working groups set up to look at long term reforms and these groups to have fresh faces. Working groups need to be larger. Introduce regional fishery representatives, nominated by fishers, to sit on a Fisheries Management Board and approve all changes to fishery management plans (with power to veto all decisions, options and changes). Involve more industry bodies for a workable solution. Happy to become involved in a more balanced discussion to deliver a reduction of fishing businesses, value to our shares and minimal reinvestment. Working group to discuss options and take on approach that differentiates between regions and share classes dependent on the advantages viewed and agreed to by industry. Working group should be established to look at reform outside of the ITCAL process to achieve reform objectives.

	Reform should be driven by industry	Reform direction needs to be driven by industry participants. More and better negotiation between DPI and commercial fishers.
	Peak body	Establish a peak body first. Support structural adjustment taking place before government gives consideration to establishing a peak body for the fishing industry, as the level of discipline and professionalism being displayed by the new industry bodies is concerning. Should have been established before this reform to ensure industry had a consolidated view and to assist in governing the process.
	Peak body process has split industry	Peak body process has caused conflict within industry/split industry
Implementation	Compliance should be enforced	Compliance should be enforced on a one strike and you are out basis. Wish to see a point scoring system in relation to compliance issues and impose tougher actions (otherwise the benefit of purchasing shares to gain greater access is lost).
	Fees - cross sector	Cost recovery should be across all fishing sectors and not borne by the commercial fisher. Recreational fishers (pensioners) should be made to pay for their fishing licences so all the cost is not put on the commercial sector.
	Fees - equal share	Support for equal sharing of fees. Licencing fees should be "equally shared by each business".
	Fees - pro rata	We should only have to pay fees for the level of access we have. It's fair for those with large shareholdings.
	Ownership issues - supports use of multiple FBs by one owner	Support for the use of multiple FBs by one owner, for viability reasons. Allow fishers to work multiple FBs at the same time - this will allow more access if their operations require it to stay within the current regulations.
	Management planning should consider ecological/sustainability factors	Better management of coastal lakes and wetland habitats needed. Fish recruitment should play a greater role in management strategies. Degradation of water quality has had a far greater impact on fish stocks than fishing. Sustainability should be the criteria used to manage fisheries. The reduction in the endorsements is arbitrary and is not based on sustainability of the fishery or the viability of fishing businesses. Fishermen are primary producers that are portrayed as bad to the environment and fish stocks when they actually have less impact on the environment than other primary producers. Need to reduce fishing effort to give scope for increasing impacts of: ocean warming; ocean acidification; sea level rise; loss of nursery habitats; and other results of climate change. Any proposal to increase fishing pressure on fish stocks and the ecological impacts such fishing creates would at least require an independent scientific study to establish baseline data and identify any potential environmental threats posed by commercial netting.
	Management planning needs to include comprehensive stock assessment	Need more comprehensive stock assessment. For the pipi fishery we should continue under the current restrictions for 6 months and reassess the stock. Need stock assessment on eel stocks (many commercial fishing closures). DPI should invest in and carry out stock assessments for several east coast species listed as Uncertain, Undefined, Overfished, or just not known prior to defining any ITCAL rights to these species.
	Support for viability study	Use peer reviewed scientific research to determine the viability of all sectors within the fishery.
	Management plans to be maintained for minimum 10 yrs	Ensure any fishery management plans are maintained for a minimum of 10 years by legislation. Provide a mechanism to alter controls in consultation with participating fishers, if monitoring of catch and environment assessments indicates any particular fish species or fishing areas are in distress. A ten year plan committed between government and industry that enables industry to feel confident in future changes of government and provides some measure of guarantee.
	Monitoring and compliance issues	Don't implement regulations that DPI cannot enforce as they only hurt or restrict the law abiding fishers. With the ability to purchase extra pots there is no excuse for fishers to set pots above their allocation. Across interstate borders must be controlled. Dual border licence holders should have AIS (similar to VMR) installed to allow for better compliance. We support introducing VMS (cost is inexpensive now at approx. \$700 per vessel) for all NSW commercial vessels as opposed to the proposed complicated pre-fishing, pre-landing and post landing system. Trap numbers must be capped and policed. ITCALs should be used as a monitoring tool to ensure no significant increase in effort. Don't believe regulations are adequately enforced and see no reason why this would change under any of the options proposed. Need to focus on recreational fishers black marketing instead of commercial, more compliance of recreational fishers needed. Management policy should focus on reducing this activity as it is having a very major influence on my viability, a focus of the reform (harsher penalties, accompanied by strategic compliance work).

	Reporting systems	Need to implement an online electronic catch record system, which would provide real time data. Large opposition to the use of online reporting as it will bring about the end to unlawful fishing and black marketing of seafood in the commercial fishery as it did in the eastern rock lobster fishery. Reporting for quota should be within 24 hours of landing. All reporting should remain the same could not do reporting under quota regime. There would be no need for prior reporting if daily restrictions are lifted which will help with costs of compliance, water sampling and marketing. Reporting via smart phone won't work because phones go flat, are lost, limited coverage, not every fisher has one. Pre fishing reporting and phone apps are not suitable to our fishing environment, as all our work is due to weather conditions. Pre and post landing reports should be implemented. Over the next 5 years, develop a proper catch /effort book that records all fishing activity that links up with the computer system. Many older fishers have not adapted to the technical age and will require training, purchase of equipment and phone/internet plans that enable data usage.
	Reporting complexity and costs	Additional burden and complexity of reporting net length and days fished would be unfair, costly to fishers and provide no protection to fish viability. Impractical for a fisher to provide a pre-fishing report the day before as the resource is difficult to know where they are at any one time. The need to advise when a particular net is going to be used is impractical as the fisher won't know which will be used on the day.
	Transfer rules	Transfer rules would need to allow single endorsement holder shares to be split up among the remaining active fishers. Quota should be able to be transferred to restricted licences with the ability to void the restriction if they attain the species quota i.e. pipi quota onto a worm only restricted licence in the hand gathering fishery.
ITCALs	ITCALs are too low, this will reduce access and result in lost viability	Access given under options reduces my viability (allocation is unviable costs vs income). Days are not enough to generate income to remain viable. How could we make a living on these quotas? State allocation isn't enough to be viable. I will lose net length with any option that is presented. Days will force fishers to maximise their catch at peak volumes forcing down the price of product, which is not good for fishery viability.
	ITCALs are too low, they don't reflect current catch or effort	ITCAL too low (catch kilo /effort days/% adjustment for misadventure). With reduced days allocated to those who are active, fishers are forced to worked longer hours for the days they do have. Ten days access for hauling net as owner is not enough when you can only work one shot per day we will have to do multiple shots. The proposed pipi ITCAL will shut down the pipi industry in NSW. 20% additional allocation would be better than 10% in OTL to allow for misadventure from weather and boat issues. The 10% increase in allocation is insufficient. A 50% increase on days would be much more appropriate than 10%. The option to reduce their days to 36 days per year per endorsement is ludicrous. OTTLW fishers should be allocated 30 days on top of their historical effort. The option to link to quota is unreasonable, for example, if the ratio of quota is chosen at the level of shareholdings most fishers have at the moment then it would leave our crab fishermen unemployed for 11 months per year. It is typical of crabbers in Region 1 to fish every day of the year.
	Don't agree with the years used in ITCAL calculations	I reject the years used to calculate the ITCALs it does not represent the potential value of the fishery. Years outside the criteria need to be taken into consideration for the effort allocation.
	Don't agree with ITCALs based on log book data	Logbook data is incorrect/wrong purpose. The fishermen I worked with lodged incorrect returns. My logbook is a catch record not an effort record because I can only record catch weights twice a week at point of sale. Catch history and days effort validation is needed. Catch records are catch records and report the number and or weight of crabs sold - they do not represent the number of days fished. I fish every day of the year, however, only the days I take my product to market are recorded in my catch record book and thus this underrepresents my effort. Section 37 permit catches are not recorded against the business (under-reporting). No catch return has ever been cross checked against fishermen's earning with the ATO to verify its authenticity.
	Greater liquidity of shares is needed (to reduce minimum shareholdings required)	Share liquidity should be increased from 10% to 30-40% in OT/OTL. Not all shares are available for sale, many fishers that hold above the minimum shareholding for their share classes (often due fishers purchasing FBs or share packages with more shares than needed and fishers not on selling the over allocation of shares as a safeguard against future increases). Some fishers will hold onto shares for use by family members. Some fishers will hold onto shares in speculation of their value in years to come.
	Concern over changes to ITCALs in future	Uncertainty of ITCALs into the future (TAC committee). ITCALs are interim arrangements and we seek clarification on the process for changing their interim status to actual allowance to be used in the future. Do not support the initial use of temporary ITCALs - long term quantitative allocation should be used from the outset to avoid unrealistic expectations and conflict once the actual allocation process is undertaken.
	Support for changing ITCALs in future	Support for starting with a higher ITCAL to allow for adjustment over time.

	ITCALs are too high	Concerned that the ITCAL is too high (i.e. will be reduced later).
	Concern over stock depletion	Concerned about the linkage of TAC quota (now ITCALs) and effort quota (days), particularly if it may be possible for a commercial fisher to extract their entire annual ITCALs quota over a number of consecutive days at the same location, potentially creating a local area depletion risk.
	Concern over increased stock mortality/needs monitoring	Concern that reforms will see an increase in upsizing and dumping of species that are either uneconomical or subject to no take restrictions. Reform may result in disposal of marketable fish. In many cases the bycatch of traps and nets will be retained even though they may be alive and could survive if released. Proposal to increase meshing/flathead net length/numbers linked to shareholding does not discuss the potential for increased bycatch mortality due to longer soak times when retrieving the nets. Do not support adding species to the permitted bycatch list in any estuary for the EPT fishery and measures that reduce bycatch should be mandatory. The proposal to permit all species to be retained from flathead nets is in effect reducing mesh size of meshing nets.
	Resource sharing issues	Days ITCALs will need to increase with the increasing recreational fishing effort as commercial catches will decrease with increasing rec effort. Fishing effort has increased in areas open to commercial fishing in recent years due to increased commercial fishing closures. Any proposed amendments to spatial and gear removal closures should only occur using the proposed Resource Sharing Policy which is to be developed..
Reform process	Conflict between users	Region 1 is highly impacted by tourism and we face a daily battle with recreational sector, river closures, river dredging etc. Conflict between recreational and professionals through bag limits, mulloway size limits, opening up closed areas and gear changes for professionals.
	Cultural concerns	Don't consider that the various options proposed create a commercial fisheries environment that promotes the retention of existing Aboriginal commercial fishers in the industry. FRDC report indicated that Aboriginal commercial fishers were not supportive of the changes to fisheries management that involved use of minimum shareholding, and unsure of linking of shares to catch or effort. Very concerned that the current level of Aboriginal participation in the commercial fishing industry in NSW will be further diminished by the proposed changes, further reducing Aboriginal people's economic development and future opportunities, while at the same time reducing the availability of fresh seafood to Aboriginal communities. Recommendation to place a moratorium on proposed changes to Aboriginal commercial fisheries in NSW.
	Impact on diversified fishers	Being forced to be less diversified. To focus a business on just one specific share class does not enable a business to capitalise on opportunities. Impacts on fisher's ability to remain a diversified business. All options would penalise diversified operators. Policy has steered once full time fishers to part-timers and caused erosion of once diverse businesses. The proposed options will reduce OT fisher's ability to diversify from fish to prawn trawl depending on fisheries conditions unless massive investment to maximise each share class. Some people need endorsements as insurance. Need to be diversified, but costs make this difficult. Estuary general hand lining is an important part of my business as I use it when sea conditions are not favourable for my OTL operation and plan to use it more as my aging body is no longer up to withstanding the rigours of ocean fishing. The majority of NSW fisheries are multi-endorsed, which has enabled the industry to remain viable by ensuring maximum efficiency within their daily and yearly activity by operating several different share classes in a day and focusing operations on the most viable share class at the time.
	Forced exit	I do not wish to exit but will be forced to under reform. Reform will result in career fisherman entering the buyout against their wishes. I am not interested in being bought out by DPI or any other fisher.
	Forced purchase	Don't agree with forced purchase of shares. Don't want to buy our jobs back. Why purchase more shares to operate business as has be done previously. No reason fishers should be forced to reinvest to retain existing rights. My shares have a current market value, being forced to buy more does not make them more valuable.
	Governance	Change the focus of DPI to be compliance of state fishing regulations and actively protect the rights of fishers. The focus must shift from micro management of fishers to preventing commercial operators that are not licensed to fish. Allow the NSW industry to self-manage the administration of fishing licenses, fee collection and consultation. The fishing industry is capable of appointing administration staff required to issue or revoke licences, collect and administer fees, disseminate information and ensure collective consultation of all licensed fishers.
	Government management	DPI responsible for failure of management in the NSW fishing industry. Any reform should be directed into the department and not upon working NSW commercial fishers. Fisheries Department to undertake a publicly available efficiency audit. Creating a complete new expensive bureaucracy that the poor hardworking fishermen have to pay for, and which they haven't a hope of even understanding. You state that you have a commitment to cut red tape; it will increase exponentially.
	Legal threats	If the reform goes ahead fishers will seek legal representation. This is a breach under the category share management framework which took place in 2005-07, where Ian McDonald said the shares are allocated for 10 years from 5 th of February 2007. We were given an access right, whether done correctly or not is not our problem.

Majority shareholders	Concern over opportunity for majority shareholders in share classes/fisheries. Concern about 'barons' ending up with control of the fishery/share class.
Support the need for reform	Support need for reform, but with changes/not in current form. Reform is needed to allow remaining fishers access to fishing. Leave the fishing industry as it is until the DPI and fishermen work together to achieve a mutual reform. Agree the reform is needed to strengthen our access rights into the future and promote our industry as being sustainable. Industry asked for reform. We fully support the recommendations and objectives of the reform program and so far as we are aware this is the feeling of the public at large. The overall situation in the commercial fishing industry is presently untenable and only major changes will have any impact on resurrecting this very valuable industry.
Not all fisheries (share classes) need reform - fishery variation	Don't agree that all share classes need reform, latency isn't a big issue in all. Risk of latent effort share activation does not impinge of the viability of the NFT. There is no latent effort in the EG netting fishery. EG fishery is sustainable in this region so there is no need for reform. Hand gathering should be left alone because of the 6 month closure, current daily quota imposed and size restrictions for pipis. Application of text-book style management to relatively small share class fisheries, which are basically cottage style businesses, will not necessarily make them better. There is no current competition issue between shareholders. There is no impact due to inactive endorsements. Endorsements are already market based and can be purchased and sold at any time. Costs of gearing up and learning curve are prohibitive for activating unused endorsements. There are not people cueing up to join the fishing industry. If a current fisher can't sell their inactive shares they can hand them in. Latent effort is not a problem as they are paying the fees to keep our fee's manageable.
No need for reform - industry wide	Do not agree with the need for a reform/restructure of the industry. The idea of reform is rejected, leave it as it is, prefer no change. Don't agree that any linking of catch/effort to shares is needed. No justification. No reduction in current allowable effort and days allowed. Fisher numbers will decline due to large percentage of older fisher leaving through natural attrition and low numbers of young business owners. Each small business should be able to operate their business according to their individual business plan. It is not the business of DPI to dictate the operation of a private business that operates within the regulations. The majority of industry did not support the need for a reform.
Reform objectives	Does not think reform is consistent with Fisheries Management Act. Options don't meet objectives of reform - hand gathering. Providing social and economic benefit for NSW is also an objective of the Act - any change that would require someone at a late age to go into debt to maintain their access to employment goes against that principle. There is nothing in the proposal that realistically delivers any of the claimed viability goals.
Oppose commercial fishing	Commercial fishing is outrageous and has to stop. Commercial fishing and man-made alterations to the river systems have caused a dramatic reduction in fish stocks in our waters.
Reform process won't work in the current form	The reform process will not work in its current form. Some of the current principles are seriously flawed and condemn the industry to repeat past mistakes in moving forward into new fisheries with unreasonable risks to long term species sustainability and unacceptable systemic cost ineffectiveness. Haven't heard any information which could bring about lasting, positive change for the fishing industry or my FB.
Review of current restrictions should be dealt with separately	The proposed removal of fishing restrictions should not have been included in the reform program that includes changes to share entitlements and potential structural adjustment of the commercial fishing industry, but rather have been tackled as two separate processes. Effective structural reform should proceed on its own feet and not require the trading of efficiency improvements for greater flexibility that may negatively impact stakeholders outside the industry. Do not support the proposals if they are linked to changes to restrictions that have not been fully and properly assessed.
Support for wild harvest	Agree that there will always be a need for sustainable wild caught fish to be supplied to the NSW public.
Support for provision of bait	Recreational fishers require a viable, efficient and economic commercial fishing industry to provide consistent and regular range of affordable fresh local and frozen bait throughout the year.
Support for increased aquaculture	DPI should invest in sustainable aquaculture as a means to supply consumers with fresh seafood. Instead of increasing the capture of wild fish, DPI should provide strong support for enhanced aquaculture in NSW. Seafood should be obtained from offshore locations (e.g. imported).
Support for catch limits	It's concerning that catch quotas are not capped, they should be, a catch quota for eels, mud crabs and blue swimmers to be capped to current levels. Catch volume should be capped and not at historic highs. We support a catch quota share linkage regime as the strongest option, however there is a concern with the number of available hand gathering licences in several regions, which need to be investigated and solutions discussed across all stakeholders to ensure NSW has adequate fresh local hand gathered species for bait or human consumption.
More focus on rec fishing and tourism	Recreational fishing underpins the economy of many coastal towns not commercial fishing industry. Should focus not on the commercial but on recreational fishing along the lines of 'How can we maximise the enjoyment of rec fishing and so increase its economic benefit to the state'.

	More time is needed	More time is needed for adjustment. Timelines should be adjusted to suit the significance of the impact on fishers, allowing a fair and reasonable transition. Too much too quickly/too harsh. Need 5-10 years depending on fishery and share class specifics. Need more time for submissions to be developed given the fishing industry activities at the time the submissions were requested (Easter, Mullet season etc.). Encourage a broader time frame with a minimum of five years running through to ten dependent on the fishery and greater focus on addressing each zone and fishery within that zone. Allow more time to reach the necessary level of shareholding perhaps up to 3 years as it must also be noted that any delay to the programs linkage implementation timeframe will be asking fishers to spend more money to buy shares yet not receive any benefit for doing so until linkage is implemented. All shareholders should have 6-12 months to meet current minimum shareholding requirements.
	Timing – hurry up	Run the exit grants and link shares. Support linkage, and must commence linkage before February 2015.
	Trust in government process, issues with transparency	No trust in government/process. The NSW government should be investigated. How can fisherman trust fisheries management when there are continual announcements of more costs, less access and less certainty? Advisory Panels process was flawed. SARC should comprise people with expert knowledge of each specific NSW fisheries and region. Object to the lack of transparency surrounding the exit grant program.
	Don't agree that fishers should pay to fix the problem, it's unreasonable/unfair	Don't agree that fishers should pay to fix the problem. Government caused the problem (misallocated shares) so unfair to ask fishers to fix the issue. Reforms place unreasonable and unacceptable demands on fisherman. If the Government wants to remove the shares they have an obligation to compensate the owners. The government should be in the business of supporting and protecting small business. Unfair to ask men mostly 50-60 to expend large amounts of money to buy their job back. Public - The exit grant in its present form focuses on the active fishers removing the latent shares - this is what is causing the angst and hardship for fishers and will result in increased infighting amongst industry.
	Values the role commercial fishers play	I trust that the fishing reform will not drive out the small commercial fisherman, they play a major part in the local community, provide quality fresh local seafood and are a link to the fishing history of the area. Commercial fishing is a major part of our town as is tourism take away the commercial fisherman and the tourists will slowly go to. I understand the importance of commercial fishing.
Social	Emotional concerns	Reform will hurt fishers emotionally. Reform process is very stressful. This reform has the potential for me to lose my home and job. The emotional and depressing pressure applied by fisheries over the past 14 years has sustained casualties. Age of shareholder negates their will to take on debt at this time of their lives. The stress that this would cause should not be underestimated. Introduce change in a different way given the mental health concerns.
	Illegal activity	The reform will drive fishers to operate illegally and sell on the black market.
	Lifestyle/work choice concerns	Want to remain small scale, part-time. Semi-retired but want the ability to remain commercially fishing while physically able too. Need my livelihood - it's already becoming tougher as I get older. The reform is removing my choice to work. I would no longer be in a position to work in a way that suits my life style. Want to be able to continue to fish, part time, without a buyout, not only source of income. No interest in acquiring another job.
	New fishers	Limited capacity for young people to enter the industry (related to costs).
	Public benefit – fishermen provide a public good	We pay fees and have shares to provide food for the community. There is a long standing history of aboriginal people in the commercial fishery and there contribution to culture, identify and the health of their communities has been ignored. The government should be taking care of anyone who is a primary producer, for without them you would all starve. The voice of seafood consumers should be heard in defence of the commercial fishery as we are providing for the community and far too often it seems the recreational and conservation voices dominate discussions.
	Unemployment – the reform may result in higher unemployment	Will result in higher unemployment in the industry and associated businesses. Will affect region economies in areas already challenged by lack of jobs and low income demographics. Further major reform that involves major costs will force more fishers on to the unemployment benefits.
	Unemployment – no other skills	No skills other than fishing. Fishing since 14 years of age, now 50 - family business. Limited education will prevent me from retraining in any other industry.
	Work conditions	Working environment of fishers is naturally a hazardous one (unsteady, heavy lifting etc.) and management arrangements do not take into account the need to have a second person around for safety reasons/requirements.
Viability	Viability depends on access to grounds but there's uncertainty over access in the longer-term	The only way for the fishing industry to survive is to open up access and reduce costs for fishers. Long term security concern (MPA, RFH, Marine Estate process)/resource sharing policy still to come. Need security over fishing rights legislation. No assurances from the government of any longevity in the region. No security that Fisheries won't change the rules or raise the minimum shareholding in the future. The proposed closure of Tuggerah Lakes should be stopped as it will only put more pressure other estuaries and recreational fishers were already given Lake Macquarie. RFHs resulted in increased effort in areas that remained open to commercial fishing. Explore options for commercial fishing havens to protect

	commercial fisher's interests against boaters, anglers, water skiers and jet skiers that bring a halt to fishing during the day during summer periods.
Affordability	Financial burden of buying shares unaffordable. Initial cost of buying shares too high. Fishers unable to obtain finance. New entrant with high personal debt. Age of shareholder negates their ability to take on debt at this time of their lives. Recent environmental impacts affecting personal financial situation. Shares have no recognised monetary value by any financial institution, and thus will not lend any money.
Concern over flow on impacts to infrastructure and supply chain	Will affect the future of co-ops and other existing structures to get fish to market. Flow on effects to co-ops and other fish distributors, transporters into financial hardship. Concerned that the impact on co-op are not being considered. Co-op is already tenuous. Claims that any loss of seafood supply or a decline in the co-op shareholders base could lead to reduced viability and/or closures of some co-ops. Concerned that co-op closures will threaten the ongoing operations and viability of the commercial fishing industry.
Costs – ongoing costs expected to be too high	Ongoing costs too high and will result in reduced viability. Individual's viability will be lost. Increase in costs of running business (fuel, management costs, etc.) impacts viability. Same product and value but increased fees and shares liability. Less fishers means higher fees. Who is going to buy a business where the cost outweighs the income?
Costs – uncertain therefore difficult to make decisions	Unknown management fees and costs/uncertainty over future business costs. Cost recovery policy yet to be developed. Uncertainty over price of shares. These all make it difficult to make business/economic decisions. Insufficient detail about the cost of applying total catch/effort regimes to multi-species fisheries. My business is viable and I was about to expand, but the uncertainty and costs associated with the reform mean my business plans are on hold.
Efficiency evaluation	The energy efficiency of the fishery has not been evaluated.
Fees	Further fee increases should be postponed until fisheries can justify the money that is spent. Investment into a fishery and operational licences need to be given more consideration. If genuinely interested in the viability of the industry, why double the fees. I have been paying fishing licence fees and boat registration for 40 years with very little return.
Financial burden	Individual business burden for an industry/ industry wide ability to survive the change. My business was sold until this commercial reform was released. The reform will remove currently viable businesses. All options will damage small operators. Protect the viability of individual fishers wanting to have a long-term future in the industry by not forcing them to buy back their jobs. It will have a devastating effect on the viability of the whole industry.
Investment return	Purchased an endorsement 2 years ago on the basis that it provided me a set share of the fishery and now a suggestion is to double the minimum for the same level of effort and catch. All options require monetary investment for no extra income. There is no benefit for the investment. The major investment required outweighs the return that can be generated.
Markets - imports	Land based operations from wholesalers to retailers will be forced to buy interstate or imported products to supplement reductions in local product. Imported seafood does not always come from sustainable fisheries. Not competitive against cheaper imported products. The middle man will absorb any increase in fish prices. If seafood price rises too much consumers will go for alternative protein sources or cheaper imported product. High risk that the supply of NSW caught fish will be adversely impacted by the restructure, especially during the restructure period, if tangible support is not offered to active fishers wishing to remain in the fishing industry.
Markets - value	Value continues to be based on the Sydney Fish Market price which is not appropriate.
Markets - competitors	Interstate competitors. Impact on local markets for beachworms.
Markets - exports	Negative impacts of reform on product supply continuity or volume will have detrimental impact on access to export markets. Quota limits restrict the amount of Australian seafood exported. Would lose markets to other states with more prolific stocks (i.e. mud crabs).
Markets - food security	We need to be in control of our own food security. Concerned rising food need in the world drive the potential for foreign investment and may become a viable threat in future.
Markets – product prices	Imports pushing product prices down. Imports making the market more competitive. Product prices have not risen with rising running costs. Commercial fishing is currently experiencing pressures from imported product and increased pressure from recreational fishing and area closures. Living on product prices that are 20 years old and lost one third of my income from buyer rejection of product. When there are large volumes of local product on the market it drives down the price allowing a lot of families to fit seafood into their budget. Reforms will drive the price of local estuary seafood up meaning local consumers will not be able to afford fresh local product.
Markets - monopoly	Concern that the reform will result in unethical conduct within industry, monopolies on markets, supply chains and prices. If the reform goes through

	as proposed it has the potential to open up cartel conduct into the fishing industry.
Markets - wholesalers	Don't like monopoly by wholesalers, which has come about due to policy - fish receiver policy has imposed too many costs allowing wholesale companies to have majority of control.
Reduction in supply	Concern that reduction in fishers will reduce catch. How can supply be maintained based on the proposed ITCALs?
Reinvest for future	Fishers should reinvest in the fishery.
Share availability is problem	Concern over availability of shares – unknown. Not enough shares to meet proposed maximums. Shares will not be available in my region. Given the scarcity of shares in the region, there is a real risk of a very small number of shareholders holding the remaining back from fishing. Speculators may hold onto shares for better value in years to come.
Share price inflated due to demand	As there are many fishers vying for just a few endorsements in the share class, the price will be driven very high (low supply/high demand).

Appendix 4 – Feedback from industry on potential changes to current restrictions and closures for the netting component of the Estuary General Fishery

Potential changes to current restrictions for consideration with relevant options	Number support	Number Oppose
Maximum shareholdings: The current default maximum shareholding of 40% of the shares in the fishery is ineffective and proposed to be removed on the basis that there is negligible risk of a monopoly in the relatively small-scale fisheries in NSW.	0	2
Foreign ownership restrictions: Remove the restrictions on foreign ownership of shares on the basis that there is negligible risk of significant foreign ownership of the relatively small scale fisheries in NSW.	0	11
Registering 'eligible fishers': The requirement to register 'eligible fishers' against fishing businesses is being removed as part of the development of FishOnline, which will automatically check that nominated fishers are already licensed.	0	0
Boat licences: Remove the requirement to licence boats in the EGF, thereby saving on future licence fees.	6	4
Closed water permits: Provide for carriage of stowed commercial fishing gear through closed waters (currently authorised via permit).	0	0
Blue swimmer crabs: Increase minimum size of blue swimmer crab to 6.5 cm to increase the protection of egg production from approximately 14% to 40%.	0	0
Crewing arrangements (dependent upon shareholding): Enable a fisher who holds 250 shares to be assisted by any fisher that holds a commercial fishing licence. This means that the fisher providing the assistance has to hold a commercial fishing licence but does not have to hold the relevant endorsement.	39	16 (plus 22 leave as is)
Net registrations: Remove the requirement to register all EGF nets with the exception of meshing nets with a mesh size of 4.5" and greater.	1	2
Carp: Allow carp to be taken in the fishery (currently authorised via permit).	0	0
Hauling Net (General Purpose): Permit garfish to be taken by the net.	4	1
Hauling Net (General Purpose): Increase maximum mesh size to 102 mm in all parts of net.	0	0
Hauling Net (General Purpose): Remove requirement to use a back net.	0	0
Hauling Net (General Purpose): Remove the requirement that the bunt must not exceed 90 metres.	1	0
Hauling Net (General Purpose): Increase maximum net length for all waters to 500 metres.	0	0
Hauling Net (General Purpose): Increase maximum hauling line length to 1,000 metres.	0	0
Meshing net: Decrease buoy diameter to 150 mm where the minimum is currently 300 mm.	1	7
Meshing net: In the months where the 3 hour time period does not apply to setting, permit setting of net 1/2 hour before sunset or at a set time rather than sunset.	0	0
Flathead net: Allow all species captured in the net to be retained rather than discarded.	10	0
Flathead net: Remove the restriction that the cork line is not to be raised above the lead line for a distance greater than 0.8 metre.	9	0
Garfish net (bullringing): Allow any species (other than a prohibited class of fish) captured by the net to be retained.	1	0
Garfish net (bullringing): Increase the maximum net length to 375 metres in the waters where that maximum does not currently apply.	1	0
Garfish net (bullringing): Extend closure period so that it also applies from September – January.	1	0
Garfish net (bullringing): Increase maximum length of hauling lines to 100 metres.	0	0
Garfish net (bullringing): Increase the minimum mesh size of net to 30 mm and maximum to 45 mm.	0	0
Prawn net (hauling): Remove the restriction on having a seine net (prawns) on board.	0	0
Seine net (prawns): Remove restriction on having a prawn net (hauling) on board.	0	0
Seine net (prawns): Amend the closure line for the prawn seine net to match that of the prawn hauling net in the Wallingat River.	0	8
Prawn net (hauling) – Manning River and Wallis Lake: Remove detailed conditions of use and include the Manning River and Wallis Lake waters in the general prawn net (hauling) clause.	0	0

Potential changes to current restrictions for consideration with relevant options	Number support	Number Oppose
Prawn net (set pocket): Allow the use of a prawn set pocket net in Cudgen Creek, Mooball Creek, Nambucca River, Macleay River, Hunter River, Moruya River, Lake Brou, Corunna Lake, Tilba Tilba Lake, Cuttagee Lake, Merimbula Lake and Curalo Lake.	0	0
Prawn net (set pocket): Increase maximum length of net in Smiths Lake from 63 to 70 m to match existing net registrations.	0	0
Prawn net (set pocket): Increase the maximum length of a prawn set pocket net used in Lake Illawarra to 6 metres.	0	0
Prawn net (set pocket): Remove the restriction that prevents nets from being used on weekends during the dark in the Clarence River.	5 (Region 4)	4 (Region 2)
Prawn running net: Allow use of a prawn running net not exceeding 75 metres in length in Saltwater Creek, Termeil Lake, Barragoot Lake, Bunga Lagoon, Wallagoot Lake and Curalo Lake.	0	0
Prawn running net: Remove restriction on setting net within 10 metres of the high water mark.	0	0
Bait net: Allow the use of a bait net in specific waters of the Tweed River, Richmond River, Nambucca River, Hawkesbury River, Lake Illawarra, Shoalhaven River and Crookhaven Rivers.	4	0

Additional comments by shareholder relating to current restrictions

In prawning (seine) you should be permitted to keep bycatch i.e. silver biddies or trumpeter whiting. Should be permitted to keep all legal commercial species caught in any prawn net in any river system as do inshore and offshore prawn.

Small marker buoys or tags on set gear as I have had six nets stolen in the last two years.

Splash period for meshing should be increased to one hour set during December and January, provided the gear is not left unattended.

Allow prawning (set pocket net) to be done on all weekends in the month in region 2.

I support allowing the use of a bait net in the waters of Lake Illawarra (region 6), I support the use of a bait net in region 7.

I agree with being able to set net 30 minutes before sunset for improved safety.

EG netting fishing closures identified by EGF shareholders for potential amendment (applying to any species of fish that must not be taken, and all year unless specified)	Number support	Number oppose
1. Cudgen Creek and Mooball Creek - The whole of the waters of Cudgen Creek. Proposal - Upstream from the road bridges, remove the meshing net and prawn net (set pocket) from the prohibited methods. Authorise the use of a meshing net not exceeding 400 metres in length by the method known as splashing between sunset and sunrise from March to November. Maintain meshing net restriction on weekends, public holidays and NSW school holidays.	0	0
2. Evans River - The whole of the waters of the Evans River. Proposal - Upstream from the road bridge, remove the meshing net and prawn net (set pocket) from the prohibited methods. Authorise the use of a meshing net not exceeding 400 metres in length by the method known as splashing between sunset and sunrise from March to November. Maintain meshing net restriction on weekends, public holidays and NSW school holidays.	0	0
3. Jerusalem Creek - The whole of the waters of the Jerusalem Creek. Proposal - Remove the meshing net from the prohibited methods. Authorise the use of a meshing net not exceeding 400 metres in length by the method known as splashing between sunset and sunrise from March to November. Maintain meshing net restriction on weekends, public holidays and NSW school holidays.	0	0
4. Clarence River - The whole of the waters of the Clarence River. Period - The period from 8am Saturday to 8am the following Monday in each week. Proposal - Amend 8am Monday to 7am Monday.	0	0
5. Boambee Creek (and Newport Creek) - The whole of the waters of Boambee Creek and Newport Creek. Proposal - Remove the prawn net (set pocket) from the prohibited methods. Upstream from Rex Hardaker Oval, remove the meshing net from the prohibited methods. Authorise the use of a meshing net not exceeding 400 metres in length by the method known as splashing between sunset and sunrise from June to August. Maintain meshing net restriction on weekends, public holidays and NSW school holidays.	0	1
6. Bonville Creek (and Pine Creek) - The whole of the waters of Bonville Creek and Pine Creek. Proposal - Upstream from a line drawn due south across the creek from the end of Moller Drive, remove the meshing net from the prohibited methods. Authorise the use of a meshing net not exceeding 400 metres in length by the method known as splashing between sunset and sunrise from June to August. Maintain meshing net restriction on weekends, public holidays and NSW school holidays.	0	1
7. Nambucca River Entrance - The whole of the waters of that part of the Nambucca River from its confluence with the South Pacific Ocean (including the waters of Inner Harbour and Siberia Lagoon) upstream to the causeway to Stuart's Island and a line extending from the southern end of the causeway on Stuart's Island generally east along the mean high water mark to 30°39.270'S 152°59.770'E (on the south-eastern side of Stuart's Island), then across the Nambucca River to 30°39.410'S 153°00.170'E (on the most northerly point of the western bank of Warrell Creek), then across Warrell Creek to 30°39.410'S 153°00.360'E (on the eastern bank of Warrell Creek). Proposal - Amend the description of the waters so that the restriction is maintained in the waters of the Inner Harbour and the river entrance east of the entrance to the Inner Harbour. Meshing nets may only be used by the method known as splashing.	0	1
8. Nambucca River and Warrell Creek - The whole of the waters of the Nambucca River and Warrell Creek. Period - The period from 6pm Friday to 6pm Sunday in each week, or to 6pm Monday if Monday is a public holiday. On any weekday (other than a Monday) that is a public holiday: the period from 6am to 6pm. Proposal - From June to August (both months inclusive) only, amend 6pm Sunday and 6pm Monday if Monday is a public holiday to 4pm Sunday and 4pm Monday if Monday is a public holiday.	0	1
9. Warrell Creek - The whole of the waters of that part of Warrell Creek together with all its creeks and tributaries from the Scotts Head boat ramp adjacent to Warrell Creek Reserve upstream to its source. Proposal - Remove the meshing net from the prohibited methods and authorise the use of a meshing net by the method known as splashing.	0	0

EG netting fishing closures identified by EGF shareholders for potential amendment (applying to any species of fish that must not be taken, and all year unless specified)	Number support	Number oppose
10. Macleay River - The whole of the waters of the Macleay River. Period - The period from 6pm Friday to 6pm Sunday in each week, or to 6pm Monday if Monday is a public holiday. Proposal - From June to August (both months inclusive) only, amend 6pm Sunday and 6pm Monday if Monday is a public holiday to 4pm Sunday and 4pm Monday if Monday is a public holiday.	0	0
11. Belmore River - The waters of that part of Belmore River and its creeks, tributaries and inlets, from the Belmore River flood gate downstream to the road bridge at Gladstone. Proposal - Remove the meshing net from the prohibited methods and authorise the use of a meshing net by the method known as splashing.	0	0
12. Port Stephens - The whole of the waters of Salamander Bay, Port Stephens, south of a line from Corlette Point to Wanda Wanda or Round Head. Proposal - Remove the garfish net (bullringing) from the prohibited methods.	0	0
13. Port Stephens - That part of the waters of Port Stephens described as follows, the waters (a) of Shoal Bay south of a line drawn from the Nelson Head navigation light to the Tomaree Head navigation light, (b) north of the line drawn from the Corrie Island navigation light to the southern extremity of Yacaaba Head and closed by a line from the Corrie Island navigation light to the western extremity of Winda Woppa, excluding that part of the waters that is within the area described as Jimmys Beach Sanctuary Zone, and (c) west of a line drawn from the eastern extremity of Kangaroo Point to the eastern extremity of Wanda Wanda Head. Period - The period from April to August in each year (both months inclusive). Proposal - Remove restriction and authorise the use of a meshing net not exceeding 300 metres in length during the time period.	0	0
14. Port Stephens - The whole of the waters of Shoal Bay commencing from the boat launching ramp opposite the north-eastern corner of land portion 141 in a westerly direction along the foreshore of that bay to a point opposite the main gate of the caravan park, then proceeding 900 metres due north, then due east to a point due north of the boat ramp, then south to the point of commencement. Proposal - Remove restriction.	0	0
15. Port Stephens - The whole of the waters of Port Stephens, including its creeks and tributaries, inlets and bays, west of a line drawn in a northerly direction from Soldiers Point to Flame Point. Proposal - Remove the prawn net hauling from the prohibited methods and authorise the use of a prawn hauling net within specific waters of Port Stephens.	0	0
16. Tuggerah Lakes - The whole of the waters of that part of Tuggerah Lake north-east of a line drawn from the south-western corner of Lot 63 Main Road, Toukley to the north-western corner of portion 155, Parish of Wallarah (the north-western corner of Camp Toukley). Period - The period from December in any year to February in the next year (both months inclusive). Proposal - Remove the meshing net and prawn running net from the prohibited methods.	1	0
17. Tuggerah Lakes - The whole of the waters of that part of Tuggerah Lake generally east and south of a line drawn north-north-easterly from the prolongation of Aubrey Street, Killarney Vale to 33°20.055'S, 151°28.708'E (NSW Maritime Navigation Aid Number 090), then easterly to 33°20.138'S, 151°29.122'E (NSW Maritime Navigation Aid Number 089), then south-easterly to 33°20.220'S, 151°29.235'E (NSW Maritime Navigation Aid Number 088), then south-easterly to 33°20.364'S, 151°29.300'E (NSW Maritime Navigation Aid Number 087), then south-easterly to the entrance of the drain on the eastern shore of Tuggerah Lakes (near Fairview Avenue) at 33°20.489'S 151°29.415'E. Proposal - Remove restriction.	1	0
18. Hawkesbury River (Patonga Creek) - The whole of the waters of Patonga Creek, its creeks, tributaries and inlets, upstream of its confluence with the Hawkesbury River, being a line drawn north-easterly from the easternmost foreshore corner of Oyster Farm no. 59-30 (section 2), on the western foreshore, to the southernmost extremity of the reserve on the opposite foreshore. Proposal - Remove the meshing net from the prohibited methods. Authorise the use of a meshing net not exceeding 400 metres in length by the method known as splashing between sunset and sunrise from June to August. Maintain meshing net restriction on weekends, public holidays and NSW school holidays.	0	0
19. Pittwater - The whole of the waters of that part of Pittwater, its creeks, tributaries and inlets, enclosed by a line drawn from the western extremity of Barrenjoey Head, to the eastern extremity of West Head, upstream (south) to a line drawn from the western-most extremity of Taylor's Point to the southern-most extremity of Longnose Point. Period - The period from January to June (both months inclusive) in each year. Proposal - Remove restriction. Authorise the use of a meshing net by the method known as	0	0

EG netting fishing closures identified by EGF shareholders for potential amendment (applying to any species of fish that must not be taken, and all year unless specified)	Number support	Number oppose
splashing between sunset and sunrise. Maintain meshing net restriction on weekends, public holidays and NSW school holidays.		
20. Lake Illawarra - The whole of the waters of that part of Lake Illawarra its creeks and tributaries upstream of a line drawn from the north-western corner of portion 44 in the parish of Wollongong; then by lines bearing 291 degrees 30 minutes 333 metres 228 degrees 57 minutes 174 metres and 191 degrees 30 minutes 718 metres, respectively, to a post marked broad-arrow over FD on the north-western shore of Bevans Island, then by that shore of that island bearing generally south-westerly, in all about 233 metres to a point marked broad-arrow over FD at the westernmost extremity of that island, and then by a line bearing approximately 205 degrees about 565 metres to a peg marked broad-arrow over E on the southern shore of Lake Illawarra. Period - During the period from May to August in each year (both months inclusive): from 8am Saturday to 5pm Sunday, and from 8am to 5pm on each public holiday. During the period from September in any year to April in the next year (both months inclusive): from 8am Saturday to 6pm Sunday, and from 8am to 6pm on each public holiday. Proposal - From May to August (both months inclusive) only, amend 8am Saturday and 8am on each public holiday to 9am Saturday and 9am on each public holiday.	1	0
21. Shoalhaven River - The whole of the waters of the Shoalhaven River including its creeks, tributaries and inlets, from its confluence with the Crookhaven River upstream to its source. Period - The period from May to August (both months inclusive): 8am Saturday to 5pm Sunday in each week, and 8am to 5pm on any weekday that is a public holiday. The period from September to April in the following year (both months inclusive): 8am Saturday to 6pm Sunday in each week, and 8am to 6pm on any weekday that is a public holiday. Proposal - From May to August (both months inclusive) only, amend 8am Saturday and 8am on any weekday that is a public holiday to 9am Saturday and 9am on any weekday that is a public holiday.	1	0
22. Crookhaven River - The whole of the waters of the Crookhaven River including its creeks, tributaries and inlets, from its confluence with the South Pacific Ocean upstream to its source. Period - The period from May to August (both months inclusive): 8am Saturday to 5pm Sunday in each week, and 8am to 5pm on any weekday that is a public holiday. The period from September to April in the following year (both months inclusive): 8am Saturday to 6pm Sunday in each week, and 8am to 6pm on any weekday that is a public holiday. Proposal - From May to August (both months inclusive) only, amend 8am Saturday and 8am on any weekday that is a public holiday to 9am Saturday and 9am on any weekday that is a public holiday.	1	0
23. Moruya River - All of the waters of the Moruya River. Period - During the period from November in any year to February in the next year (both months inclusive): from 6am Saturday to 8pm Sunday, or to 6pm Monday if Monday is a public holiday. During the period from March to October in each year (both months inclusive): from 6am Saturday to 6pm Sunday, or to 6pm Monday if Monday is a public holiday. On any weekday (other than a Monday) that is a public holiday: the period from 6am to 6pm. Proposal - From November in any year to February in the next year (both months inclusive) amend 6am Saturday to 8pm Sunday, or to 6pm Monday if Monday is a public holiday to 8am Saturday to 6pm Sunday, or to 6pm Monday if Monday is a public holiday. From March to October in each year (both months inclusive) amend 6am Saturday to 6pm Sunday, or to 6pm Monday if Monday is a public holiday to 8am Saturday to 4pm Sunday, or to 4pm Monday if Monday is a public holiday.	0	1
24. Wallaga Lake - The whole of the waters of Wallaga Lake. Period - During the period from November to February (both months inclusive): from 6am Saturday to 8pm Sunday, or to 6pm Monday if Monday is a public holiday. During the period from March to October (both months inclusive): from 6am Saturday to 6pm Sunday, or to 6pm Monday if Monday is a public holiday. On any weekday (other than a Monday) that is a public holiday: the period from 6am to 6pm. Proposal - From November in any year to February in the next year (both months inclusive) amend 6am Saturday to 8pm Sunday, or to 6pm Monday if Monday is a public holiday to 8am Saturday to 6pm Sunday, or to 6pm Monday if Monday is a public holiday. From March to October in each year (both months inclusive) amend 6am Saturday to 6pm Sunday, or to 6pm Monday if Monday is a public holiday to 8am Saturday to 4pm Sunday, or to 4pm Monday if Monday is a public holiday.	0	1
25. Wallaga Lake - That part of the waters of Wallaga Lake situated generally east of a line drawn from the western tip of Beauty Point to Regatta Point to the southern point of the elevated approach to the Wallaga Lake road bridge. Proposal - Amend closure boundary line such that the starting point of the line shifts approximately 400 metres in a north easterly direction.	0	1

EG netting fishing closures identified by EGF shareholders for potential amendment (applying to any species of fish that must not be taken, and all year unless specified)	Number support	Number oppose
26. Wallaga Lake - All of the waters of "Aborigines Bay", north of a line drawn from the southernmost tip of Cemetery Point, directly east to the nearest point of land on the eastern side of "Aborigines Bay". Proposal – Remove restriction.	0	1
27. Moruya River - All of the waters of the Moruya River and its bays and tributaries, from a line drawn between the eastern extremities of the northern and southern breakwaters at the entrance to the river, upstream to a line drawn generally northerly from the western extremity of the southern training wall (adjacent to the boat launching ramp), to the left bank of what is locally known as Birch's Creek at Garlandtown. Proposal – Amend the description of the waters so that the restriction is maintained in the waters east of a line drawn from the boat ramp off Bruce Cameron Drive in a southerly direction to the eastern opening of the southern break wall.	0	1
28. Coila Lake - The whole of the waters of the Coila Lake south of a line drawn from a post on the southern extremity of land portion R.975, in a general westerly direction to a point on the southern shore of the lake being the boundary line between land portions 39 and 43. Proposal - Amend closure boundary line such that the boat ramp located at the end of Foam Street, Tuross Head, be excluded from the closure.	0	1
29. Wapengo Lake - The whole of the waters of that part of Wapengo Lake, its creeks, tributaries and inlets, from a line drawn across the entrance to the lake at its confluence with the South Pacific Ocean, upstream to a line drawn from the north-eastern (foreshore) corner of Oyster Farm No. 57-112, to the south-eastern (foreshore) corner of Oyster Farm No. 69-332. Proposal - Remove the meshing net from the prohibited methods and authorise the use of a meshing net not exceeding 400 metres in length by the method known as splashing. Maintain meshing net restriction on weekends, public holidays and NSW school holidays.	0	0
30. Wallagoot Lake - The whole of the waters of Wallagoot Lake, its inlets, bays and creeks upstream from its confluence with the South Pacific Ocean. Period -The period from September in any year to April in the next year (both months inclusive). Proposal - Amend period to September to January.	0	1
31. Wallagoot Lake - The whole of the waters of Wallagoot Lake. Period - The period from November in any year to April in the next year (both months inclusive). Proposal - Remove restriction. Authorise the use of a meshing net by the method known as splashing between sunset and sunrise. Maintain meshing net restriction on weekends, public holidays and NSW school holidays.	0	1
32. Merimbula Lake - The whole of the waters of Merimbula Lake. Proposal – Upstream from the road bridge, remove the meshing net from the prohibited methods. Authorise the use of a meshing net by the method known as splashing between sunset and sunrise from March to November. Maintain meshing net restriction on weekends, public holidays and NSW school holidays.	0	0
33. Bournda Lagoon - The whole of the waters of Sandy Beach Creek and Bournda Lagoon. Proposal – Remove the meshing net from the prohibited methods. Authorise the use of a meshing net not exceeding 300 metres in length by the method known as splashing between sunset and sunrise from March to November. Maintain meshing net restriction on weekends, public holidays and NSW school holidays.	0	0
Additional comments by shareholders relating to current closures		
Please consider partial or seasonal reopening of the Hasting River RFH to commercial fishing (closed 12 years) - would help Port Macquarie industry and have flow on to community (access to fresh local product).		
Lots of our fishing grounds closed in the past (e.g. Pittwater, Hawkesbury River, Port Hacking) which put increased pressure on other areas these areas need to be opened up to all methods again to ease current pressures by spreading effort.		
Set pocket net should be allowed in the Richmond river as a second method of prawning. This option should only be allowed by people who have a EGP1 endorsement.		
Allow the same setting conditions above the Shoalhaven River bridge as below, as there are more bass and perch below the bridge some breeding seasons.		
Allow Flathead nets to be used in Camden Haven, Watson Taylor and Queens Lake.		
Propose that commercial fishers be permitted to trap eels in the Hastings River RFH as this will benefit the quality of		

Additional comments by shareholders relating to current closures

recreational fishing in the RFH given eels are a not target species for recreational anglers and predator of other fish. Fishers should be permitted to target sea mullet in the Hastings River RFH as it is not a recreational species.

I support lifting the closures to commercial fishing in Durras Lakes and the Clyde River as there are very few fisherman in the northern areas of region 7, we have to travel distances from 60-250km to go to work, which increases our time, expenses and safety having to drive long distances home after long periods after working all night, it also puts increased fishing pressure on other areas.

I support opening Wagonga Inlet and the Clyde River to meshing.

I support opening Willinga and Durras lakes to meshing.

I support Coila and Brou lakes being closed for category hauling.

Support weekend closures - I would like to see weekend closures introduced in all estuary fisheries this would give areas a rest and reduce the number of days fishers are working.

Myall Lakes needs one net under 95 mm all year round to be set all night like we previously had in the winter time, May to August, so we can catch flathead and small mullet.

Allow prawning (set pocket net) to be done on all weekends in the month in region 2.

Appendix 5 – Feedback from industry on potential changes to current restrictions for the Estuary Prawn Trawl Fishery

Potential changes to current management arrangements for consideration with relevant Reform Options	Number support	Number oppose
Maximum shareholdings: The current default maximum shareholding of 40% of the shares in the fishery is ineffective and proposed to be removed on the basis that there is negligible to nil risk of a monopoly in the relatively small scale fisheries in NSW.	0	4
Foreign ownership restrictions: Remove the restrictions on foreign ownership of shares on the basis that there is negligible to nil risk of significant foreign ownership of the relatively small scale fisheries in NSW.	0	3 (2FBs + PFA)
Nomination process: Two changes are proposed to streamline the nomination process: Registering 'eligible fishers': Remove the requirement to register 'eligible fishers' against fishing a business (FishOnline will automatically check that proposed nominated fishers are already licensed). 48 hour restriction: remove the rule preventing subsequent nominations within a 48 hour period.	0	0
Fishing businesses and share transfer rules: Remove fishing businesses as a management tool (but use them for administrative purposes only) and relax, if not remove, the fishing businesses transfer rules (aka. share transfer rules) once the maximum target numbers of endorsements are met.	0	0
Boat licences: Removal of the requirement for boats under 10 metres in length to be licensed when used in the EPTF, saving ongoing licence fees. Fishers with boat licences that have an "EPT exemption code" (allowing the use of boats over 10 metres in length) may retain those licences and the privileged access associated with those licences.	1	0
OG1 notations: Subject to what transpires in other fisheries, consideration would be given to removing OG1 notations from boat licences given they serve no purpose in the EPTF.	0	0
Throsby Basin, Hunter River: Shareholders seek to be allowed back into that part of Throsby Basin from a line drawn south from the eastern extremity of the State Dockyard (Dyke Point) to the western end of Queens Wharf, upstream to a line drawn west from the southern extremity of Forgacs Dockyard, excluding the yacht club marina. To alleviate the need for 'closed water permits' DPI would also consider adjusting the downstream boundary of the Hunter River EPT fishery such that it extends from the boat ramp adjacent to Punt Road, Stockton, (where it currently extends from) to the western end of Queens Wharf.	1	0
Broken Bay at night: Shareholders seek to be allowed back into Broken Bay on weekends, but only at night (sunset to sunrise) to minimise the risk of direct interaction with other users of the waterway.	0	0
Net restrictions: A number of changes are proposed to provide for the voluntary adoption of modifications demonstrated through recent research to improve catching efficiency, reduce drag (and fuel consumption) and reduce by catch. The changes include: Allowing for the use of single, double, triple, and quad gear. Allowing for each net to have a different headline length determined by the shareholders to suite his or her needs, up to the maximum combined headline length relevant to estuary concerned and, if a net length day regime if pursued the headline length applicable to the shareholder/fishing business concerned. Increasing the maximum headline lengths applying to each estuary. The following maximum headline lengths are suggested to stimulate industry discussion and feedback. - Clarence: 20 m. - Hunter: 15 m. - Hawkesbury: 22 m all waters. Allowing for the use of smaller mesh sizes to the body of the net (actual size yet to be decided), but only when using a 'short net with a steeper side taper (i.e. 1P5B), which might be defined as a net with a body length (from mid headline)-to-headline length ratio not exceeding ~0.5. For example, a Clarence River trawl with a headline length of 7.35 m would need to be less than 3.7 m long from the mid headline to the end of the body. It is also proposed that the 'Juno Point closure line' be removed such that the rules relating to the use of nets are consistent throughout the Hawkesbury River system.	Multiple gear 1 Max. net length 0	Multiple gear 2 Max. net length 2

Potential changes to current management arrangements for consideration with relevant Reform Options	Number support	Number oppose
For further information on the research behind these changes refer to the paper "Agenda Item 7 – Background Paper changes to EPT trawl gear" on the OTSLWG reform homepage on the DPI website (Meeting 2 – 21 and 22 November 2013).		
Clarence byproduct list: Shareholders seek a mixed bag of up to 15 kg of the following species to be added to the Clarence River EPT by-product list so that they may be landed if taken incidentally while targeting prawns, instead of being discarded: bream, flathead, whiting and luderick. The limit is proposed in recognition of these species being of interest to other stakeholder groups. Prior to 2002 these species could lawfully be taken in the Clarence River EPT Fishery. Annual monitoring of total catches would continue to apply.	0	0
Hunter by-product list: Shareholders seek the following species to be added to the Hunter River prawn trawl by-product list so that they may be landed if taken incidentally while targeting prawns, instead of being discarded: silver biddies, carp and herring. No daily limits are proposed, as per the standard arrangements applying to by-product species in the EPT Fishery. Annual monitoring of total catches would continue to apply.	1 – but other species	0
Hawkesbury by-product list: Shareholders seek the following species to be added to the Hawkesbury River prawn trawl by-product list so that they may be landed if taken incidentally while targeting prawns or squid, instead of being discarded. No daily limits are proposed, as per the standard arrangements applying to by-product species in the EPT Fishery. Annual monitoring of total catches would continue to apply. Common pike eel (<i>Muraenesox bagio</i>) Silver trevally (<i>Pseudocaranx georgianus</i>) Cuttlefish (<i>Sepia</i> spp.) Southern calamari (<i>Sepioteuthis australis</i>) John dory (<i>Zeus faber</i>) Giant boarfish (<i>Paristioperus labiosus</i>) Striped scat (<i>Selenotoca multifasciata</i>): also commonly known as old maid or butterfish Diamond fish (<i>Monodactylus argenteus</i>) Tripletail (<i>Lobotes surinamensis</i>) Fantail Mullet (<i>Paramugil georgii</i>): Stingrays, various (<i>Dasyatis</i> sp.) Bull shark (<i>Carcharhinus leucas</i>) Eastern fiddler ray (<i>Trygonorrhina fasciata</i>) Eastern shovelnose ray (<i>Aptychotrema rostrata</i>) Eastern school whiting (<i>Sillago flindersi</i>) Stout whiting (<i>Sillago robusta</i>) Herring (all local species) Catfish (all local species)	0	0

Appendix 6 – Feedback from industry on potential changes to current restrictions for the Ocean Trawl Fishery

Potential changes to current management arrangements for consideration with relevant reform Options	Number support	Number oppose
Maximum shareholdings: The current default maximum shareholding of 40% of the shares in the fishery is ineffective and proposed to be removed on the basis that there is negligible to nil risk of a monopoly in the relatively small scale fisheries in NSW.	0	2 FBs
Foreign ownership restrictions: Remove the restrictions on foreign ownership of shares on the basis that there is negligible to nil risk of significant foreign ownership of the relatively small scale fisheries in NSW.	0	2 (1 FB + PFA)
Nomination process: Two changes are proposed to streamline the nomination process. These changes would also apply to the Southern Fish Trawl Restricted Fishery. <i>Registering 'eligible fishers':</i> Remove the requirement to register 'eligible fishers' against fishing a business (FishOnline will automatically check that proposed nominated fishers are already licensed). <i>48 hour restriction:</i> remove the rule preventing a subsequent nomination within a 48 hour period.	0	0
'Rubber discs' on fish trawl ground gear: Increase the maximum diameter of rubber discs from 100 mm (four inches) to 150 mm (six inches) and lift the prohibition on rubber discs between Seal Rocks and Smoky Cape. Increasing the maximum diameter and extending rubber discs State-wide will alleviate the need for fishers working waters north and south of Seal Rocks and dual NSW/Commonwealth licensed fishers to build and maintain multiple sets of ground gear. This would also apply to the Southern Fish Trawl Restricted Fishery.	0	0
Gauge of chain on prawn trawl nets: Increase the maximum gauge of the chain forming part of the 'ground gear' in the prawn trawl sector from 12 mm to 13 mm to accommodate market availability, and to minimise the risk of prosecution for being just over the maximum gauge currently permitted.	0	0
Prawn trawl codends – square or diamond: Formally recognise in the Ocean Trawl Share Management Plan that fishers may use square- or diamond-mesh codends in the OTF, and increase the maximum mesh size for the square-mesh codend from 45 mm to 50 mm to accommodate interest in slightly larger mesh sizes – as used by some fishers in Queensland.	0	0
Foster and Port Stephens Juvenile King Prawn (JKP) Closures: Remove the Foster and Port Stephens JKP closures given that the majority of those waters are already closed under the Port Stephens-Great Lake Marine Park Zoning arrangements.	1	0
Lobsters for personal consumption: Provide for the taking of up to two lobsters (any species) per boat per day for personal consumption only, along the lines of the arrangements applying to recreational fishers. To minimise the risk of black marketing, commercial lobster tags would not be issued to ocean trawl fishers. This would also apply to the Southern Fish Trawl Restricted Fishery. Note that anecdotal information supported by past observer work indicates that lobsters are not often taken in the OTF.	0	0
Fishing businesses and share transfer rules: Remove fishing businesses as a management tool (but use them for administrative purposes only) and relax, if not remove, the fishing businesses transfer rules (aka. share transfer rules). This <i>may</i> also be applied to the Southern Fish Trawl Restricted Fishery, noting that DPI reserves the right to keep this proposal under review and to not extend it to other sectors if there is risk of effort or catch in those sectors increasing beyond sustainable levels.	0	0
Net length restrictions: Replace the three sets of net length restrictions applying in the prawn trawl sector with a standard maximum net length of 60 m, consistent with the net length restrictions applying to the fish trawl sector and non-unitised boats used in the DPT sector. The current rules, which some shareholders may not be fully aware of, include: - Boats authorised for use in the offshore sector (i.e. unitised boats) are subject to licence specific maximum net lengths ranging from 33 m to around 65 m. These restrictions apply regardless of which sector the boat is operating in. - Non-unitised boats operating in the inshore sector, of which there are few, are subject to a maximum net length of 33 m. - Non-unitised boats operating in the deepwater sector are subject to a maximum net length of 60 m.	0	0
Boat capacity restrictions: A range of changes to current boat capacity restrictions are proposed to make it easier for fishers to replace boats and to streamline administration. They include: <i>Engine power restrictions:</i> Remove the boat licence specific engine power restrictions applying to offshore prawn trawlers, making it easier for licence holders to replace boats, to enable fishers to optimise fuel and fishing efficiency, and because they cannot be cost-	0	0

Potential changes to current management arrangements for consideration with relevant reform Options	Number support	Number oppose
effectively enforced. • <i>Maximum 300 kw</i>: Remove the maximum 300 kw engine power restrictions applying to the offshore prawn trawlers, for the same reasons as above. • <i>OG1 notations</i>: Subject to what transpires in other fisheries, consideration would be given to removing OG1 notations from boat licences given they serve no purpose in the OTF. • Remove the “Revised interim guidelines – boat replacements in the OTF, November 2010” to reduce administration and costs.		
Additional boat licence reforms (Option 2 and ITQs only): It is proposed that the requirement to use only licensed fishing boats in the OTF be removed. Under a hull unit day regime any increase or decrease in boat capacity (i.e. hull units) would be automatically offset through a commensurate decrease or increase in the days available to shareholders, respectively. The ITCAL could also be actively used to manage total effort levels over time if needed. Under an ITQ regime catch is managed directly and thus there would be little need to manage boat capacity. If the requirement to use licensed boats in the OTF is abandoned the following controls would also need to be removed: • The requirement to use only unitised boats in the offshore prawn trawl sector. • The “maximum boat lengths” set out on individual boat licences. Licence holders would be entitled to retain their boat licences (and pay the relevant fees) if they choose – including for sale or for use in other fisheries where it remains a requirement for boats to be licensed.	0	0
Maximum size boats in the OTF (Option 2 and ITQs only): It is proposed that the fishery-wide maximum boat length of 20 m (and the “OT exemption codes” that authorise the use of boats greater than 20 m) be replaced with a fishery-wide maximum boat length of 24.5 m, consistent with the maximum allowable length of the largest boat in the fishery. This would, amongst other things: - Provide for improved safety and profitability, including by providing for on-board processing and packaging as per some boats currently in the fishery, and in adjacent jurisdictions. - Relieve fishers with licences with OTF exemption codes the need to retain those licences and the associated costs, if they so choose. At present, there are seven licences with OTF exemption codes authorising the use of boats ranging from 21.32 m to 24.5 m.	2	1
Silver trevally size limit: it is proposed that if silver trevally was quota managed in the OTF and the ITCAL set at levels commensurate with landings since the size limit was introduced, the size limit could be relaxed in the OTF or removed from the OTF – as per the arrangements that apply in the Commonwealth Southern and Eastern Scalefish and Shark Fishery.	0	0
Prohibition on taking flathead in prawn nets south of Smoky Cape: it is proposed that if flathead (tiger and bluespotted) were quota managed across all sectors of the OTF, the prohibition on taking flathead in prawn trawl nets south of Smoky Cape could be removed from the OTF.	0	0
Gemfish 50 kg trip limit: it is proposed that if gemfish were quota managed in the OTF and the ITCALs set at levels commensurate with landings since the 50 kg trip limit was introduced, the trip limit could be removed.	0	0

Appendix 7 – Feedback from industry on potential changes to current restrictions for the general purpose netting component of the Ocean Haul Fishery

Proposed changes to current management arrangements for consideration with relevant reform options	Number support	Number oppose
Maximum shareholdings: The current default maximum shareholding of 40% of the shares in the fishery is ineffective and proposed to be removed on the basis that there is negligible risk of a monopoly in the relatively small scale fisheries in NSW.	0	0
Foreign ownership restrictions: Remove the restrictions on foreign ownership of shares on the basis that there is negligible risk of significant foreign ownership of the relatively small scale fisheries in NSW.	0	17 (6 FBs + PFA)
Nomination process: The requirement to register 'eligible fishers' against fishing businesses is being removed as part of the development of FishOnline, which will automatically check that nominated fishers are already licensed.	0	0
Boat licences: Remove the requirement to licence boats in the OHF, saving on future licence fees.	2 (1 FB with GPN & OHG shares)	0
Seasonal closures: Change seasonal beach closures that currently extend from 1 st October or 1 st November to the last day in February the next year. Change them to 1 st December to 31 st January the next year.	0	0
Seasonal weekend and public holiday closures: Remove weekend and public holiday closures that apply during November, December, January and February each year (noting this is outside the normal 'travelling season').	4 (2 FBs with shares in GPN & OGH).	0
Net registrations: Remove the requirement to register all OHF nets.	0	0
Australian salmon: Remove the restriction applying to taking Australian salmon.	0	0
Tailor: Remove the restriction applying to taking tailor.	2 (1 FB, 2 share classes)	0
Conditional Target Species: Include yellowtail kingfish and tailor as conditional target species.	0	0

Appendix 8 – Feedback from industry on potential changes to current restrictions for the Ocean Trap and Line Fishery

Potenital changes to current management arrangements for consideration with relevant reform options	Number support	Number oppose
Maximum shareholdings: The current default maximum shareholding of 40% of the shares in the fishery is ineffective and proposed to be removed on the basis that there is negligible to nil risk of a monopoly in the relatively small scale fisheries in NSW.	0	0
Foreign ownership restrictions: Remove the restrictions on foreign ownership of shares on the basis that there is negligible to nil risk of significant foreign ownership of the relatively small scale fisheries in NSW.	0	17
Banded rockcod daily limit: Removal of the daily limit for Banded rockcod for holders of a LW endorsement that is used in waters north of latitude 29°15'S by fishers who do not also hold a LE endorsement.	0	3 (1 FB with shares in 3 classes)
OG1 notations: Subject to what transpires in other fisheries, consideration would be given to removing OG1 notations from boat licences given that, if fishers have the appropriate endorsement and shares which define their level of access, they should be able to fully utilise that endorsement without a restriction being placed on the boat used. Any concern of increased fishing pressure in certain waters could be managed through the future Total Allowable Commercial Catch/Total Allowable Commercial Effort regime. (Note that the Ocean Trap and Line Share Linkage Working Group advised that OG1s should be retained because of their value when traded and as an effort control)	2 (2 FBs)	0
Boat length limit: Most, if not all, fisheries are seeking feedback on the use of boat limits in their fisheries. A 16 m maximum boat size limit applies in the OTLF. Under a catch quota system, an increased or removed boat size limit could assist in efficiency as larger boats could be used to catch a defined quota. However, since effort quotas are also proposed for most OTLF share classes, the relaxation or removal of boat size limits may not be appropriate.	3 (1 FB with shares in 3 classes)	0
Gemfish 50 kg trip limit: it is proposed that if gemfish were quota managed in the OTLF and the ITCAL set at levels commensurate with landings since the 50 kg trip limit was introduced, the trip limit could be removed.	0	0

Appendix 9 – Counts by share class of commercial submissions indicating reform is not needed for specific sector

Fishery	Share class	Total	Percentage of shareholders who responded	Percentage of total shareholders*
EG Hand gathering	EGHG1	4	50%	26%
	EGHG2	1	33%	33%
	EGHG3	2	29%	9%
EG Hand gathering Total		7	23%	9%
Estuary General Trapping	EGET2	1	6%	3%
	EGET4	1	6%	2%
	EGET5	1	17%	11%
	EGET6	2	20%	13%
	EGMC1	2	20%	13%
	EGMC2	2	13%	5%
	EGMC3	1	6%	2%
	EGMC4	1	3%	1%
	EGMC5	2	33%	20%
	EGT2	2	22%	11%
	EGT3	1	6%	3%
	EGT4	2	6%	3%
	EGT5	2	20%	11%
EG Trapping Total		20	8%	4%
Estuary Prawn Trawl	Clarence	2	7%	2%
	Hawkesbury	8	27%	15%
	Hunter	1	11%	4%
EPT Total		11	16%	7%
Estuary General Netting	EGC1H2	1	5%	4%
	EGC1H4	2	6%	4%
	EGC1H5	2	22%	13%
	EGC2H4	2	14%	4%
	EGC2H5	1	33%	13%
	EGHHC1	1	6%	3%
	EGHHC2	3	7%	3%
	EGHHC4	2	3%	1%
	EGHHC5	3	14%	6%
	EGHHC6	1	6%	2%
	EGM2	2	5%	2%
	EGM4	3	4%	2%
	EGM5	2	12%	6%
	EGM6	1	6%	2%
	EGP1	1	8%	6%
	EGP2	1	6%	1%
	EGP4	3	5%	2%
	EGP5	1	20%	20%
	EGP6	1	8%	3%
EG Netting Total		33	5%	2%
Ocean Hauling	GPN	1	2%	1%
	OHG	3	4%	1%
OH Total		4	3%	1%
Ocean Trawl	DPT	6	40%	15%
	ISP	10	14%	5%
	NFT	11	47%	25%

Fishery	Share class	Total	Percentage of shareholders who responded	Percentage of total shareholders*
	OSP	10	15%	6%
OT Total		37	21%	9%
Ocean Trap and Line	OTLD	15	16%	8%
	OTLLE	8	21%	10%
	OTLLW	22	15%	7%
	OTLSCN	3	21%	10%
	OTLSCS	2	67%	22%
	OTLSGS	4	29%	22%
OTL Total		54	17%	8%

***The percentage of shareholders (of the total shareholders for that share class) who indicated that reform was not necessary for their sector (share class/region).**

Appendix 10 – Restructure options provided by industry (alternative structural adjustment suggestions)

Comments (categories and examples) provided by commercial fishers, industry participants and representative bodies regarding structural adjustment	Total number of similar comments
Support for permanent removal of latent fishers through a buyout - fishers then excluded from re-entering Support for permanent removal of latency (fishers) through buyout - fishers bought out shouldn't be able to buy back in. Bought out fishers should be excluded legislatively from re-entering fisheries for 5-7 years. I do not support the re-issuing of fishing businesses as it enables people to capitalise on the exit grant and create more businesses and therefore more effort. Latent effort should be removed from fisheries and share surrendered to fisheries if then inactive for 5 years. If the government buys back an endorsement or business it must be removed from the fisheries for ever. I believe fisher's numbers need to be reduced to a level that NSW Fisheries can monitor and control.	27
Support for running exit grant first and then dealing with latency issues afterward Support for running exit grant first then dealing with any latency issues/restructure issues after. Run exit grant first. Using the buyout is the most satisfactory option, everything else will fall into place if this process is used properly thus achieving all options. Need to link shares to existing rights, provide a buyout for those who wish to leave then allow remaining fishers to buy available share to increase effort.	39
More money is needed so that fishers can exit More money is needed. Not enough money, want more money so fishers can exit. Give fishers that want out what they are asking. There's no real compensation for being forced from the industry. If you place a reasonable dollar amount on the value of the EPTAR fishing business, 15-20 fishers may quit with dignity.	23
Support for compulsory buyout/buy back of latent businesses/shares (targeted buyout) Support for compulsory buyout/buy back of latent businesses/shares (targeted buyout). Compulsory buy back should be available. Government buyout latent effort. I suggest that DPI use the exit grant money to buyout latent shareholders and the few active fishers that wish to exit the industry. Disagree with present form of exit grant - prefer a targeted buyout and sheading of extra licence (latency). I understand the potential benefits of removing latent effort and recommend the government directly buyout the latent effort though means other than expecting the active fishers to pay for it.	36
Support for tender to remove latent businesses Support for tender to remove latent businesses. Exit grant should be used for removing latent effort.	26
Support for voluntary buyout/buy back for fishers who chose to go Support for voluntary buyout/buy back of fishers who chose to go. Have a voluntary buyout. Voluntary buyout with money put aside for exit grants only. A realistic buy back should be implemented so that the fishers get a fair price for their shares. Voluntary buyout for fishers who want to retire. Needs to be voluntary as industry already in decline and those leaving should not be due to the financial hardship and/or pressure from other fishers increasing their share base.	50
Support for a realistic agreed levy, amount regularly contributed by fishers for future buyouts A realistic, agreed (levy) amount should be regularly contributed by fishers for future buyouts. A proposed levy of 1 cent per kg. A restructure fee of \$2,000 to \$3,000 per year per FB should be introduced to go towards another buyout in 5 years' time. This figure should be matched by the government. An industry, government and recreational levy should be developed. Where each contributes \$5,200 per year for each of the licences, which equates to \$4.68 million. Then buy business out for a nominated value. Active fishers contribute 1% of their funds from their first point of sale to allow for further buyouts to meet the states viability requirement. If you look at the long service fund in the building industry, it will show how small contribution can work to fix a large problem. Use the exit grant money to buy back shares or whole	18

Comments (categories and examples) provided by commercial fishers, industry participants and representative bodies regarding structural adjustment	Total number of similar comments
fishing businesses and impose a small levy per kg of catch to raise funds for future buyouts until numbers of allocated shares are consistent with what DPI believes is sustainable long-term.	
Support for buyout of older fishers and removal of licences Feels that latency should be looked at taking social aspects into consideration. Concern that effective use of a licence is different for different people: compare an elderly fisher nearing retirement with a young fisher with a mortgage and family to support. As such the Government should buyout retiring fishers and not sell the licence. I would like to see the exit grant used to encourage some fishing business owners to leave the industry or share class rather than face the prospect of having to lease fishing effort, being unable to access fishing effort or feeling like they have been forced out.	10
Support buyout and redistribution of shares (shares held in DPI share registry) Support for a buy back process where fishers may relinquish shares back to the DPI at a predetermined price for each share class, but these shares are put on a share registry where other fishers may purchase these shares prior to a time frame being reached, if they require adjustment to their business. After the time frame has past, those shares are taken out of the fishery. Similar exit grant but no cancellation of shares. The shares that are surrendered go into a pool. A value placed on the fishing business, i.e. \$20K per business. Each share class has a value; it may vary from region to region where regions apply. Government holds the shares for 2 years until the next stage of the plan. After 2 years the Government redistributes the shares equally amongst the FBs remaining, ensuring remaining FBs hold the minimum shareholding for their fisheries. Purchased share be the cost to the Government, paid over 2 years, with the money to be placed back into the pool, which can be used to buy FBs and shares in 2017. Existing \$500 paid by FBs held in trust for next 2 years and credited towards the share "top up", to achieve minimum shareholding. Example of costing given in submission.	5
Cancel shares of those who take exit grant, link shares to current access and review in 5 years For people who voluntarily take an exit grant, cancel their shares and link the shares of those left to the current access to be revised in five years' time. Use this five years to format a proper catch/effort book that recognises all fishing activity that links up with the computer system as a lot of the current coding cannot be entered into the computer system e.g. code III, section 37 permit. Then use this information as a discussion for future access arrangements. Take shares out of circulation.	6
No support for money being used as exit grant or buyout for failed businesses, it should go to fishers who stay No support for use of money as an exit grant or buyout. Money should be used for fishers who stay. I do not support a buyout or exit grant in any form as I don't believe that the Government should be subsidising or giving handouts to failed, or failing businesses. The money should be there for the people who wish to remain in the industry. If DPI wants to look after viable fishing business, why do they need to be subsidised as there is nowhere else in Australia that you would get OTLLE shares for the value they now cost in the NSW fishery. No confidence that the exit grant will achieve any success in reducing the shares prices. When implementing the restructure, it is critically important that consideration is given to assisting those fishers who wish to continue to produce sustainable fresh seafood for consumers. Presently the project is providing no assistance to active fishers wishing to remain in the industry, which is one of the primary sources of criticism from industry.	6
Need Government to provide low interest rate loans/grants We need the government to provide us with grants/low interest loans as they do for farmers. There is no direct provision to financially assist high catchers with modest share levels. I support a proposal that would see loan monies provided at concessional rates to current shareholders enabling them to buy shares up to the level of their current fishing activity, with a raft of conditions placed on access to the loans and a cap of \$50,000 to mitigate upward pressure on share prices. Government low interest loans will be vitally important in enabling active fishers to purchase the required shares to maintain their current level of operation.	7

Comments (categories and examples) provided by commercial fishers, industry participants and representative bodies regarding structural adjustment	Total number of similar comments
Recommend that Government provide financial assistance in the form of nil or low interest loans, crown lease assistance and subsidies for training and accreditation.	
Exit grant should be unavailable to those who have received past buyouts Exit grant should be conditional i.e. unavailable to those who have received buyouts in the past.	2
Buyout of cheap licences paying only the original buy in costs For fishers that have bought multiple licences cheaply DPI should buy them out paying them only the money they paid for the licence so they are not out of pocket.	2
Support buyout/grant once off based on assessment of value of shares Department borrow money, as with RFH buyouts, and offer once only exit buyout/grants based on fishing business and shares that each business holds. DPI would need to determine the dollar value of every share class. This would, with significant management fees now being introduced, encourage most latent effort to be surrendered and also give a dignified avenue for fishers will to exit.	3
Two stage alternative, \$20K/125 shares offered first round, then target remaining latent fishers Run two stages - 2 stage alternative exit grant process. Stage 1 - DPI offer \$20k/125 share buyout and destroy the business number (\$16 million = 800 endorsements or 100 FBs with 8 endorsements each). Stage 2 - Money left over used to buy endorsements that become latent as fishers that were once diversified downsize toward retirement. Author believes this will provide a value for a FB allowing fishers, banks and new entrants to know what a FB is worth and provide an asset to borrow against for fishers wish to borrow money to diversify.	1
Given the age of fishers, consider a sunset clause where older fishers continue to fish as usual until retirement Given the average age of fishers is near 60 years, consider a sunset clause whereby all current fishers can still work as usual, however new entrants require higher shareholdings to enter the industry.	4
Let the exit grant operate at the share class level The \$16 million set aside for buying businesses should be used to buy endorsements as well, whilst allowing fishers to also buy endorsements and receive the benefit of being able to use that endorsement or receive some benefit from holding it in addition to the endorsements in that share class they already hold. A legislation change would be required for the estuary general fishery to allow similar endorsements to be held on the same businesses.	5
Exit grant - recognise gear Support for exit grants to recognise business equipment, e.g. vessels in ranking calculations. Recognition for investment in industry i.e. new vessels or major upgrades on existing. Novel ways to use the exit grant would be welcomed.	5
Exit grant - split components of business Want to split components of business for buyout.	2
Exit grant - no transfer between same owner No support for transferring FBs between same owners for exit grant. Doesn't want to see shares transferred from one FB to another, owned by the same fisher, if the FB is being surrendered through the exit grant.	1
Exit grant - delay grants as share prices are too high Need to delay the exit grants to alleviate inflation of share prices. Short timeframe creates strong demand that artificially inflates share prices. High demand of shares resulting from the need to purchase a high number of shares. Don't think share price will drop prior to exit grants. Competition between fishers to purchase shares will drive the prices up.	18
Exit grant - speculation concern Do not support speculators who have purchased business and shares be paid out of the pool of funds. Those should include businesses being brought over the past 18 months. Should not be for persons who have been actively buying/increasing shares on speculation or prior knowledge of their future value. Those who speculated	25

Comments (categories and examples) provided by commercial fishers, industry participants and representative bodies regarding structural adjustment	Total number of similar comments
should be given an amount for the exit grant equal to their investment to date. This would prevent the perversion of non-fishers realising windfalls that distort the intent and cost of the exit program. The exit grant in its present form focuses on the active fishers removing the latent shares. This is what is causing the angst and hardship for fishers and will result in increased infighting amongst industry.	
Ownership issues - Concern with FB proposals If fishers increase their shares in any endorsement they should not be able to split or sell off those shares (except to other professional fishers) in a way that will create new FB. Issuing a new FB number once you meet the minimum share requirement for a fishery has the potential to increase effort as share classes can be split from one business across to multiple businesses allowing these share classes to be used concurrently instead of alternatively as is the case with a single owner business containing multiple endorsements. There should not be any issuing of FBs once some minimum requirement is met - this will only lead to an increased number of fishers overall (increased actual effort - i.e. currently if one fisher holds multiple endorsements the share classes not being fished are being rested. If those endorsements are held by different fishers they could all be used at the same time).	12
Ownership issues – allowing multiple FBs by one owner Support for the use of multiple FBs by one owner, viability reasons. Allow fishers to work multiple FBs at the same time. This will allow more access if their operations require it to stay within the current regulations.	3
Incorporate marketing into the reform Encourage the community to buy Australian seafood and reduce imports. To make fisheries industry more viable better marketing is required. I have a local market for my beachworms and cannot get a market for nippers in my area and it's too costly to contemplate sending live catch by road. Professional fishermen are not stupid; they will let fish swim by if they don't have a market to sell it on. These reforms are pushing for more investment in aquaculture, which are fed hormones etc. to grow and not pushing our fresh pesticide, hormone, omega rich locally caught seafood.	7
Develop capacity for stewardship in the industry Support and develop the capacity of fishers to be environmental champions of the fisheries they participate in, fishers as guardians of the environment that sustain their fishing businesses.	4
Funding for scholarships for fishers to be awarded to industry leaders as voted by peers to undertake training and acquire degrees to return to industry and conduct management positions in their fisheries, resulting in self-managed fisheries. Subsidies for training and accreditation.	1
Exit grant alternatives - The exit grant money could be used for 1) Industry promotion, 2) Research into more efficient equipment, 3) Marketing opportunities, 4) Research into value adding fishers can undertake to increase their viability, 5) Funding for scholarships for fishers, 6) Removing registered fish receivers and restricted registered fish receivers, and 7) A project to address fees and cost recovery. Freeze existing business in all share classes to present number. Do not permit existing businesses with excess shares to sell these to create a new business. Government buy back all excess shares held in excess of minimum share allowance in each class using exit grant money. Allow all fishers to fish every day of the year. Government use the exit grant money for any business accepting the grant must include all shares. Allow existing business owners to sell to new entrants on retirement.	2

Appendix 11 – Feedback from the public on linkage options

	Most Satisfactory	Satisfactory	Least Satisfactory
EGF Linkage Options	Option 1 (1)	Option 2 (1)	Option 3 (1)
Meshing			
Option 1	1		5
Option 2	2	1	8
Option 3			2
Option 4			
Prawning			
Option 1	1		6
Option 2	2	1	7
Option 3			3
Category 1 Hauling			
Option 1			4
Option 2	2		5
Option 3			1
Category 2 Hauling			
Option 1			4
Option 2	2		5
Option 3			1
Handline and Hauling Crew			
Option 1			4
Option 2	2		4
Option 3			1
Hand gathering			
Option 1			4
Option 2	3		5
Option 3			1
General Trapping			
Option 1	1		5
Option 2		1	6
Option 3	3		4
Eel Trapping			
Option 1			4
Option 2			5
Option 3	3		1
Mud Crab Trapping			
Option 1			6
Option 2			7
Option 3	3		3
Estuary Prawn Trawl	Option 2 (2)		
Clarence River			
Option 1		1	
Option 2	3	1	2
Hunter river			
Option 1			1
Option 2	2	1	
Hawkesbury River			
Option 1			1
Option 2	2	1	

	Most Satisfactory	Satisfactory	Least Satisfactory
Ocean Trawl	Option 1 (1) Option 2 (1)		
Northern Fish Trawl			
Option 1	1		
Option 2			
Inshore Prawn Trawl			
Option 1	1		1
Option 2			1
Offshore Prawn trawl			
Option 1	1		1
Option 2			1
Deepwater Prawn Trawl			
Option 1	1		1
Option 2			1
Ocean Haul			
General Purpose Netting			
Option 1		1	5
Option 2	4		4
Pilchard and Bait Net			
Option 1			5
Option 2	1		5
Ocean Haul General			
Option 1			4
Option 2	1		3
Garfish Ocean Haul			Option 2b (1)
Option 1	4		5
Option 2			5
Option 3		1	1
Purse Seine			
Option 1			3
Option 2			3
Option 2a	1		
Option 2b			1
Option 3		1	
Ocean Trap and Line Fishery			
Demersal Trapping	Option 1 (4) and Option 2 (1)	Option 1 (1)	
Option 1a	1		3
Option 1b	2		2
Minimum Shares			
Line West	Option 1 (1), Option 2 (2) Option 2 kingfish only (1)	Option 1 (1)	Option 1 (2)
Option 1a	1	2	
Option 1b	2		1
Option 2a	1 and kingfish only (1)		
Option 2b			1
Minimum Shares			
Line East	Option 1 (1), Option 1 kingfish only (1) and Option 2 (1)	Option 1 (1)	Option 1 (2)
Option 1a	2	1	
Option 1b	2		
Option 2a	1		
Option 2b			1
Endorsement numbers			

	Most Satisfactory	Satisfactory	Least Satisfactory
Spanner Crab Northern			
Option 1	1		
Option 2			1
Spanner Crab Southern			
Option 1	1		
Option 2			1
School and Gummy Shark			
			Option 1b (1)
Option 1	4		
Option 2		1	

Appendix 12 – Feedback from the public on proposals to change current restrictions

Table 11: Public feedback on potential changes to current management arrangements

Potential changes to current restrictions for consideration with relevant options	Number support	Number oppose
Proposals covering all fisheries and Estuary General Netting		
Maximum shareholdings: The current default maximum shareholding of 40% of the shares in the fishery is ineffective and proposed to be removed on the basis that there is negligible risk of a monopoly in the relatively small-scale fisheries in NSW.	0	83
Foreign ownership restrictions: Remove the restrictions on foreign ownership of shares on the basis that there is negligible risk of significant foreign ownership of the relatively small scale fisheries in NSW.	0	83
Registering 'eligible fishers': The requirement to register 'eligible fishers' against fishing businesses is being removed as part of the development of FishOnline, which will automatically check that nominated fishers are already licensed.	1	1
Boat licences: Remove the requirement to licence boats in the EGF, thereby saving on future licence fees.	0	2
Closed water permits: Provide for carriage of stowed commercial fishing gear through closed waters (currently authorised via permit).	1	0
Blue swimmer crabs: Increase minimum size of blue swimmer crab to 6.5 cm to increase the protection of egg production from approximately 14% to 40%.	3	4
Crewing arrangements (dependent upon shareholding): Enable a fisher who holds 250 shares to be assisted by any fisher that holds a commercial fishing licence. This means that the fisher providing the assistance has to hold a commercial fishing licence but does not have to hold the relevant endorsement.	0	0
Net registrations: Remove the requirement to register all EGF nets with the exception of meshing nets with a mesh size of 4.5" and greater.	0	3
Carp: Allow carp to be taken in the fishery (currently authorised via permit).	1	0
Hauling Net (General Purpose): Permit garfish to be taken by the net.	1	1
Hauling Net (General Purpose): Increase maximum mesh size to 102 mm in all parts of net.	1	0
Hauling Net (General Purpose): Remove requirement to use a back net	1	0
Hauling Net (General Purpose): Remove the requirement that the bunt must not exceed 90 metres.	1	0
Hauling Net (General Purpose): Increase maximum net length for all waters to 500 metres	0	4
Hauling Net (General Purpose): Increase maximum hauling line length to 1,000 metres.	0	4
Meshing net: Decrease buoy diameter to 150 mm where the minimum is currently 300 mm.	0	1
Meshing net: In the months where the 3 hour time period does not apply to setting, permit setting of net 1/2 hour before sunset or at a set time rather than sunset.	0	4
Flathead net: Allow all species captured in the net to be retained rather than discarded.	1	1
Flathead net: Remove the restriction that the cork line is not to be raised above the lead line for a distance greater than 0.8 metre.	1	0
Garfish net (bullringing): Allow any species (other than a prohibited class of fish) captured by the net to be retained.	0	1
Garfish net (bullringing): Increase the maximum net length to 375 metres in the waters where that maximum does not currently apply.	0	5

Garfish net (bullringing): Extend closure period so that it also applies from September – January.	0	4
Garfish net (bullringing): Increase maximum length of hauling lines to 100 metres.	0	5
Garfish net (bullringing): Increase the minimum mesh size of net to 30 mm and maximum to 45 mm.	1	0
Prawn net (hauling): Remove the restriction on having a seine net (prawns) onboard.	1	0
Seine net (prawns): Remove restriction on having a prawn net (hauling) onboard.	1	0
Seine net (prawns): Amend the closure line for the prawn seine net to match that of the prawn hauling net in the Wallingat River.	1	0
Prawn net (hauling) – Manning River and Wallis Lake: Remove detailed conditions of use and include the Manning River and Wallis Lake waters in the general prawn net (hauling) clause.	1	1
Prawn net (set pocket): Allow the use of a prawn set pocket net in Cudgen Creek, Mooball Creek, Nambucca River, Macleay River, Hunter River, Moruya River, Lake Brou, Corunna Lake, Tilba Tilba Lake, Cuttagee Lake, Merimbula Lake and Curalo Lake.	0	4
Prawn net (set pocket): Increase maximum length of net in Smiths Lake from 63 to 70 m to match existing net registrations.	0	4
Prawn net (set pocket): Increase the maximum length of a prawn set pocket net used in Lake Illawarra to 6 metres.	0	2
Prawn net (set pocket): Remove the restriction that prevents nets from being used on weekends during the dark in the Clarence River	0	6
Prawn running net: Allow use of a prawn running net not exceeding 75 metres in length in Saltwater Creek, Termeil Lake, Barragoot Lake, Bunga Lagoon, Wallagoot Lake and Curalo Lake.	0	5
Prawn running net: Remove restriction on setting net within 10 metres of the high water mark.	0	0
Bait net: Allow the use of a bait net in specific waters of the Tweed River, Richmond River, Nambucca River, Hawkesbury River, Lake Illawarra, Shoalhaven River and Crookhaven Rivers.	0	2
Proposals specific to Estuary General Trapping		
Crab Trapping – taking fish in crab traps.	2	2
Fish Trapping – taking mud crabs in fish traps.	2	3
Proposals specific to Handgathering		
Remove 6 month pipi closure.	0	1
Remove 40kg per day pipi restriction.	0	1
Remove Merimbula Lake shellfish closure.	0	1
Allow welks to be taken under the hand gathering endorsement.	1	0
Proposals specific to Ocean Trawl Fishery		
Rubber disc size increase.	0	4
Remove Forster and Port Stephens Juvenile King Prawn closures.	0	3
Keep 2 lobsters for personal consumption (R27).	0	3
Remove net length restrictions.	0	5
Remove vessel length restrictions.	0	2
Decrease Silver trevally size limit.	0	4
Retain Flathead caught in prawn trawl nets south of Smokey Cape.	0	4
Gemfish trip limit.	0	2
Nomination Process.	1	0
Fishing business transfer rules.	1	0

Gauge of chain on prawn trawl nets.	1	0
Prawn trawl codends square or diamond.	1	0
Increase in dillies - 20 to 30.	0	1
Proposals specific to Estuary Prawn Trawl		
Open areas in the Throsby and Hunter Rivers to trawling.	0	4
Allow trawling in broken bay at night.	0	4
Increase maximum headline length.	0	4
Increase the Clarence River by-catch list.	0	3
Increase the Hunter River by-catch list.	0	3
Increase the Hawkesbury River by-catch list.	0	3
Changes to trawl gear (mesh sizes, trawl net design).	1	2
Nomination process.	1	0
Fishing business and share transfer rules.	1	0
Proposals specific to Ocean Hauling		
Remove restrictions on tailor and kingfish as conditional species.	0	12
Remove restrictions on Australian salmon.	0	5
Remove restrictions on tailor.	0	7
Removing the seasonal weekend and public holiday closures.	0	5
Removing the beach hauling seasonal closure.	0	5
Crew requirements.	1	0
48 hour nominations.	1	0
Remove net registration requirement.	0	1
Proposals specific to Ocean Trap and Line		
Boat length limits.	0	4
Gemfish trip limit.	0	4
Banded rock cod.	1	4
Proposal to allow an additional 1200 hooks to be used for an additional 40 shares.	0	2
Proposal that holding an additional 40 shares entitles the share to use an additional 10 traps.	0	1

Appendix 13 – Feedback from the public on proposals to current fishing closures (estuary netting)

EGF netting fishing closures identified by EGF shareholders for potential amendment (applying to any species of fish that must not be taken, and all year unless specified)	Number support	Number oppose
1. Cudgen Creek and Mooball Creek – The whole of the waters of Cudgen Creek Methods of fishing prohibited – Any method involving the use of a net, other than a dip or scoop net (prawns), push or scissors net (prawns), hand-hauled prawn net, hoop or lift net, and landing net. Proposal – Up stream from the road bridges, remove the meshing net and prawn net (set pocket) from the prohibited methods. Authorise the use of a meshing net not exceeding 400 metres in length by the method known as splashing between sunset and sunrise from March to November. Maintain meshing net restriction on weekends, public holidays and NSW school holidays.	0	8
2. Evans River – The whole of the waters of the Evans River Methods of fishing prohibited – Any method involving the use of a net or a trap, other than a dip or scoop net (prawns), push or scissors net (prawns), hand-hauled prawn net, hoop or lift net, and landing net. Proposal – Up stream from the road bridge, remove the meshing net and prawn net (set pocket) from the prohibited methods. Authorise the use of a meshing net not exceeding 400 metres in length by the method known as splashing between sunset and sunrise from March to November. Maintain meshing net restriction on weekends, public holidays and NSW school holidays.	0	6
3. Jerusalem Creek – The whole of the waters of the Jerusalem Creek Methods of fishing prohibited – Any method involving the use of a net, other than a dip or scoop net (prawns), push or scissors net (prawns), hand-hauled prawn net, hoop or lift net, and landing net. Proposal – Remove the meshing net from the prohibited methods. Authorise the use of a meshing net not exceeding 400 metres in length by the method known as splashing between sunset and sunrise from March to November. Maintain meshing net restriction on weekends, public holidays and NSW school holidays.	0	7
4. Clarence River – The whole of the waters of the Clarence River. Methods of fishing prohibited – Any method involving the use of a garfish net (bullringing) and meshing net. Period – The period from 8am Saturday to 8am the following Monday in each week. Proposal – Amend 8am Monday to 7am Monday.	2	4
5. Boambee Creek (and Newport Creek) – The whole of the waters of Boambee Creek and Newport Creek. Methods of fishing prohibited – Any method involving the use of a net, other than a dip or scoop net (prawns) and landing net. Proposal – Remove the prawn net (set pocket) from the prohibited methods. Upstream from Rex Hardaker Oval, remove the meshing net from the prohibited methods. Authorise the use of a meshing net not exceeding 400 metres in length by the method known as splashing between sunset and sunrise from June to August. Maintain meshing net restriction on weekends, public holidays and NSW school holidays.	0	47
6. Bonville Creek (and Pine Creek) – The whole of the waters of Bonville Creek and Pine Creek. Methods of fishing prohibited – Any method involving the use of a net, other than a dip or scoop net (prawns) and landing net. Proposal – Upstream from a line drawn due south across the creek from the end of Moller Drive, remove the meshing net from the prohibited methods. Authorise the use of a meshing net not exceeding 400 metres in length by the method known as splashing between sunset and sunrise from June to August. Maintain meshing net restriction on weekends, public holidays and NSW school holidays.	0	60
7. Nambucca River Entrance – The whole of the waters of that part of the Nambucca River from its confluence with the South Pacific Ocean (including the waters of Inner Harbour and Siberia Lagoon) upstream to the causeway to Stuart's Island and a line extending from the southern end of the causeway on Stuart's Island generally east along the mean high water mark to 30°39.270'S 152°59.770'E (on the south-eastern side of Stuart's Island), then across the Nambucca River to 30°39.410'S 153°00.170'E (on the most northerly point of the western bank of Warrell Creek), then across Warrell Creek to 30°39.410'S 153°00.360'E (on the eastern bank of Warrell Creek). Methods of fishing prohibited – Any method involving the use of a net, other than a dip or scoop net (prawns), hoop or lift net and landing net. Proposal – Amend the description of the waters so that the restriction is maintained in the waters of the Inner Harbour and the river entrance east of the entrance to the Inner Harbour. Meshing nets may only be used by the method known as splashing.	0	6
8. Nambucca River and Warrell Creek – The whole of the waters of the Nambucca River and Warrell Creek. Methods of fishing prohibited – Any method involving the use of a net, other than the prawn net	1	8

EGF netting fishing closures identified by EGF shareholders for potential amendment (applying to any species of fish that must not be taken, and all year unless specified)	Number support	Number oppose
(hauling), hand-hauled prawn net, dip or scoop net (prawns) and landing net. Period – The period from 6pm Friday to 6pm Sunday in each week, or to 6pm Monday if Monday is a public holiday. On any weekday (other than a Monday) that is a public holiday: the period from 6am to 6pm. Proposal – From June to August (both months inclusive) only, amend 6pm Sunday and 6pm Monday if Monday is a public holiday to 4pm Sunday and 4pm Monday if Monday is a public holiday.		
9. Warrell Creek – The whole of the waters of that part of Warrell Creek together with all its creeks and tributaries from the Scotts Head boat ramp adjacent to Warrell Creek Reserve upstream to its source. Methods of fishing prohibited – Any method involving the use of a net (other than a landing net). Proposal – Remove the meshing net from the prohibited methods and authorise the use of a meshing net by the method known as splashing.	0	7
10. Macleay River – The whole of the waters of the Macleay River. Methods of fishing prohibited – Any method involving the use of a net, other than the dip or scoop net (prawns), hand-hauled prawn net, hoop or lift net, push or scissors net (prawns) and landing net. Period – The period from 6pm Friday to 6pm Sunday in each week, or to 6pm Monday if Monday is a public holiday. Proposal – From June to August (both months inclusive) only, amend 6pm Sunday and 6pm Monday if Monday is a public holiday to 4pm Sunday and 4pm Monday if Monday is a public holiday.	1	0
11. Belmore River – The waters of that part of Belmore River and its creeks, tributaries and inlets, from the Belmore River flood gate downstream to the road bridge at Gladstone. Methods of fishing prohibited – Any method involving the use of a net or a trap, other than the landing net and eel trap. Proposal – Remove the meshing net from the prohibited methods and authorise the use of a meshing net by the method known as splashing.	0	1
12. Port Stephens – The whole of the waters of Salamander Bay, Port Stephens, south of a line from Corlette Point to Wanda Wanda or Round Head. Methods of fishing prohibited – Any method involving the use of the hauling net (general purpose), garfish net (bullringing), prawn net (hauling) and trumpeter whiting net (hauling). Proposal – Remove the garfish net (bullringing) from the prohibited methods.	0	2
13. Port Stephens – That part of the waters of Port Stephens described as follows, the waters (a) of Shoal Bay south of a line drawn from the Nelson Head navigation light to the Tomaree Head navigation light, (b) north of the line drawn from the Corrie Island navigation light to the southern extremity of Yacaaba Head and closed by a line from the Corrie Island navigation light to the western extremity of Winda Woppa, excluding that part of the waters that is within the area described as Jimmys Beach sanctuary zone, and (c) west of a line drawn from the eastern extremity of Kangaroo Point to the eastern extremity of Wanda Wanda Head. Methods of fishing prohibited – Any method involving the use of a meshing net, except if the net is used by the method of splashing for no longer than 2 hours in a single operation of the net. Period – The period from April to August in each year (both months inclusive). Proposal – Remove restriction and authorise the use of a meshing net not exceeding 300 metres in length during the time period.	0	2
14. Port Stephens – The whole of the waters of Shoal Bay commencing from the boat launching ramp opposite the north-eastern corner of land portion 141 in a westerly direction along the foreshore of that bay to a point opposite the main gate of the caravan park, then proceeding 900 metres due north, then due east to a point due north of the boat ramp, then south to the point of commencement. Methods of fishing prohibited – Any method involving the use of the hauling net (general purpose), trumpeter whiting net (hauling), garfish net (bullringing), garfish net (hauling), prawn net (hauling) and meshing net. Proposal – Remove restriction.	0	2
15. Port Stephens – The whole of the waters of Port Stephens, including its creeks and tributaries, inlets and bays, west of a line drawn in a northerly direction from Soldiers Point to Flame Point. Methods of fishing prohibited – Any method involving the use of the prawn net (hauling), dip or scoop net (prawns), hand-hauled prawn net and push or scissors net (prawns). Proposal – Remove the prawn net hauling from the prohibited methods and authorise the use of a prawn hauling net within specific waters of Port Stephens.	0	2
16. Tuggerah Lakes – The whole of the waters of that part of Tuggerah Lake north-east of a line drawn from the south-western corner of Lot 63 Main Road, Toukley to the north-western corner of portion 155, Parish of Wallarah (the north-western corner of Camp Toukley). Methods of fishing prohibited – Any method involving the use of a net, other than the dip or scoop net (prawns), push or scissors net (prawns), hand-hauled prawn net, hoop or lift net and landing net. Period – The period from December in any year to February in the next year (both months inclusive).	0	3

EGF netting fishing closures identified by EGF shareholders for potential amendment (applying to any species of fish that must not be taken, and all year unless specified)	Number support	Number oppose
Proposal – Remove the meshing net and prawn running net from the prohibited methods.		
17. Tuggerah Lakes – The whole of the waters of that part of Tuggerah Lake generally east and south of a line drawn north-north-easterly from the prolongation of Aubrey Street, Killarney Vale to 33°20.055'S, 151°28.708'E (NSW Maritime Navigation Aid Number 090), then easterly to 33°20.138'S, 151°29.122'E (NSW Maritime Navigation Aid Number 089), then south-easterly to 33°20.220'S, 151°29.235'E (NSW Maritime Navigation Aid Number 088), then south-easterly to 33°20.364'S, 151°29.300'E (NSW Maritime Navigation Aid Number 087), then south-easterly to the entrance of the drain on the eastern shore of Tuggerah Lakes (near Fairview Avenue) at 33°20.489'S 151°29.415'E. Methods of fishing prohibited – Any method involving the use of the flathead net and meshing net, unless the net is used by the method of splashing. Proposal – Remove restriction.	0	3
18. Hawkesbury River (Patonga Creek) – The whole of the waters of Patonga Creek, its creeks, tributaries and inlets, upstream of its confluence with the Hawkesbury River, being a line drawn north-easterly from the easternmost foreshore corner of Oyster Farm no. 59-30 (section 2), on the western foreshore, to the southernmost extremity of the reserve on the opposite foreshore. Methods of fishing prohibited – Any method involving the use of the meshing net, hauling net (general purpose), prawn net (hauling), hand-hauled prawn net, pilchard, anchovy and bait net (hauling) and garfish net (bullringing). Proposal – Remove the meshing net from the prohibited methods. Authorise the use of a meshing net not exceeding 400 metres in length by the method known as splashing between sunset and sunrise from June to August. Maintain meshing net restriction on weekends, public holidays and NSW school holidays.	1	3
19. Pittwater – The whole of the waters of that part of Pittwater, its creeks, tributaries and inlets, enclosed by a line drawn from the western extremity of Barrenjoey Head, to the eastern extremity of West Head, upstream (south) to a line drawn from the western-most extremity of Taylor's Point to the southern-most extremity of Longnose Point. Methods of fishing prohibited – Any method involving the use of a meshing net. Period – The period from January to June (both months inclusive) in each year. Proposal – Remove restriction. Authorise the use of a meshing net by the method known as splashing between sunset and sunrise. Maintain meshing net restriction on weekends, public holidays and NSW school holidays.	0	4
20. Lake Illawarra – The whole of the waters of that part of Lake Illawarra its creeks and tributaries upstream of a line drawn from the north-western corner of portion 44 in the parish of Wollongong; then by lines bearing 291 degrees 30 minutes 333 metres 228 degrees 57 minutes 174 metres and 191 degrees 30 minutes 718 metres, respectively, to a post marked broad-arrow over FD on the north-western shore of Bevans Island, then by that shore of that island bearing generally south-westerly, in all about 233 metres to a point marked broad-arrow over FD at the westernmost extremity of that island, and then by a line bearing approximately 205 degrees about 565 metres to a peg marked broad-arrow over E on the southern shore of Lake Illawarra. Methods of fishing prohibited – Any method involving the use of a net, other than the prawn running net, dip or scoop net (prawns), push or scissors net (prawns), hand-hauled prawn net and landing net. Period – During the period from May to August in each year (both months inclusive): from 8am Saturday to 5pm Sunday, and from 8am to 5pm on each public holiday. During the period from September in any year to April in the next year (both months inclusive): from 8am Saturday to 6pm Sunday, and from 8am to 6pm on each public holiday. Proposal – From May to August (both months inclusive) only, amend 8am Saturday and 8am on each public holiday to 9am Saturday and 9am on each public holiday.	1	9
21. Shoalhaven River – The whole of the waters of the Shoalhaven River including its creeks, tributaries and inlets, from its confluence with the Crookhaven River upstream to its source. Methods of fishing prohibited – Any method involving the use of a net, other than the prawn net (hauling), hoop or lift net, dip or scoop net (prawns), push or scissors net (prawns), hand-hauled prawn net and landing net. Period – The period from May to August (both months inclusive): 8am Saturday to 5pm Sunday in each week, and 8am to 5pm on any weekday that is a public holiday. The period from September to April in the following year (both months inclusive): 8am Saturday to 6pm Sunday in each week, and 8am to 6pm on any weekday that is a public holiday. Proposal – From May to August (both months inclusive) only, amend 8am Saturday and 8am on any weekday that is a public holiday to 9am Saturday and 9am on any weekday that is a public holiday.	1	5
22. Crookhaven River – The whole of the waters of the Crookhaven River including its creeks, tributaries and inlets, from its confluence with the South Pacific Ocean upstream to its source. Methods of fishing prohibited – Any method involving the use of a net, other than the prawn net (hauling), hoop or lift net, dip or scoop net (prawns), push or scissors net (prawns), hand-hauled	1	5

EGF netting fishing closures identified by EGF shareholders for potential amendment (applying to any species of fish that must not be taken, and all year unless specified)	Number support	Number oppose
prawn net and landing net. Period – The period from May to August (both months inclusive): 8am Saturday to 5pm Sunday in each week, and 8am to 5pm on any weekday that is a public holiday. The period from September to April in the following year (both months inclusive): 8am Saturday to 6pm Sunday in each week, and 8am to 6pm on any weekday that is a public holiday. Proposal – From May to August (both months inclusive) only, amend 8am Saturday and 8am on any weekday that is a public holiday to 9am Saturday and 9am on any weekday that is a public holiday.		
23. Moruya River – All of the waters of the Moruya River. Methods of fishing prohibited – Any method involving the use of a net, other than the dip or scoop net (prawns), push or scissors net (prawns), hand-hauled prawn net, hoop or lift net and landing net. Period – During the period from November in any year to February in the next year (both months inclusive): from 6am Saturday to 8pm Sunday, or to 6pm Monday if Monday is a public holiday. During the period from March to October in each year (both months inclusive): from 6am Saturday to 6pm Sunday, or to 6pm Monday if Monday is a public holiday. On any weekday (other than a Monday) that is a public holiday: the period from 6am to 6pm. Proposal – From November in any year to February in the next year (both months inclusive) amend 6am Saturday to 8pm Sunday, or to 6pm Monday if Monday is a public holiday to 8am Saturday to 6pm Sunday, or to 6pm Monday if Monday is a public holiday. From March to October in each year (both months inclusive) amend 6am Saturday to 6pm Sunday, or to 6pm Monday if Monday is a public holiday to 8am Saturday to 4pm Sunday, or to 4pm Monday if Monday is a public holiday.	1	6
24. Wallaga Lake – The whole of the waters of Wallaga Lake. Methods of fishing prohibited – Any method involving the use of a net, other than the prawn running net, dip or scoop net (prawns), hand-hauled prawn net, hoop or lift net, landing net and push or scissors net (prawns). Period – During the period from November to February (both months inclusive): from 6am Saturday to 8pm Sunday, or to 6pm Monday if Monday is a public holiday. During the period from March to October (both months inclusive): from 6am Saturday to 6pm Sunday, or to 6pm Monday if Monday is a public holiday. On any weekday (other than a Monday) that is a public holiday: the period from 6am to 6pm. Proposal – From November in any year to February in the next year (both months inclusive) amend 6am Saturday to 8pm Sunday, or to 6pm Monday if Monday is a public holiday to 8am Saturday to 6pm Sunday, or to 6pm Monday if Monday is a public holiday. From March to October in each year (both months inclusive) amend 6am Saturday to 6pm Sunday, or to 6pm Monday if Monday is a public holiday to 8am Saturday to 4pm Sunday, or to 4pm Monday if Monday is a public holiday.	1	9
25. Wallaga Lake – That part of the waters of Wallaga Lake situated generally east of a line drawn from the western tip of Beauty Point to Regatta Point to the southern point of the elevated approach to the Wallaga Lake road bridge. Methods of fishing prohibited – Any method involving the use of a hauling net (general purpose). Proposal – Amend closure boundary line such that the starting point of the line shifts approximately 400 metres in a north easterly direction.	0	12
26. Wallaga Lake – All of the waters of “Aborigines Bay”, north of a line drawn from the southernmost tip of Cemetery Point, directly east to the nearest point of land on the eastern side of “Aborigines Bay”. Methods of fishing prohibited – Any method involving the use of a hauling net (general purpose). Proposal – Remove restriction.	0	11
27. Moruya River – All of the waters of the Moruya River and its bays and tributaries, from a line drawn between the eastern extremities of the northern and southern breakwaters at the entrance to the river, upstream to a line drawn generally northerly from the western extremity of the southern training wall (adjacent to the boat launching ramp), to the left bank of what is locally known as Birch’s Creek at Garlandtown. Methods of fishing prohibited – Any method involving the use of a net, other than the dip or scoop net (prawns), push or scissors net (prawns), hand-hauled prawn net, hoop or lift net and landing net. Proposal – Amend the description of the waters so that the restriction is maintained in the waters east of a line drawn from the boat ramp off Bruce Cameron Drive in a southerly direction to the eastern opening of the southern breakwall.	0	8
28. Coila Lake – The whole of the waters of the Coila Lake south of a line drawn from a post on the southern extremity of land portion R.975, in a general westerly direction to a point on the southern shore of the lake being the boundary line between land portions 39 and 43. Methods of fishing prohibited – Any method involving the use of a prawn running net. Proposal – Amend closure boundary line such that the boat ramp located at the end of Foam Street, Tuross Head, be excluded from the closure.	0	8
29. Wapengo Lake – The whole of the waters of that part of Wapengo Lake, its creeks, tributaries and inlets, from a line drawn across the entrance to the lake at its confluence with the South Pacific	0	12

EGF netting fishing closures identified by EGF shareholders for potential amendment (applying to any species of fish that must not be taken, and all year unless specified)	Number support	Number oppose
Ocean, upstream to a line drawn from the north-eastern (foreshore) corner of Oyster Farm No. 57-112, to the south-eastern (foreshore) corner of Oyster Farm No. 69-332. Methods of fishing prohibited – Any method involving the use of a net, other than the dip or scoop net (prawns) and landing net. Proposal – Remove the meshing net from the prohibited methods and authorise the use of a meshing net not exceeding 400 metres in length by the method known as splashing. Maintain meshing net restriction on weekends, public holidays and NSW school holidays.		
30. Wallagoot Lake – The whole of the waters of Wallagoot Lake, its inlets, bays and creeks upstream from its confluence with the South Pacific Ocean. Methods of fishing prohibited – Any method involving the use of a garfish net (bullringing). Period – The period from September in any year to April in the next year (both months inclusive). Proposal – Amend period to September to January.	0	11
31. Wallagoot Lake – The whole of the waters of Wallagoot Lake. Methods of fishing prohibited – Any method involving the use of a meshing net. Period – The period from November in any year to April in the next year (both months inclusive). Proposal – Remove restriction. Authorise the use of a meshing net by the method known as splashing between sunset and sunrise. Maintain meshing net restriction on weekends, public holidays and NSW school holidays	0	12
32. Merimbula Lake – The whole of the waters of Merimbula Lake. Methods of fishing prohibited – Any method involving the use of a net, other than the dip or scoop net (prawns), push or scissors net (prawns), hand-hauled prawn net and landing net. Proposal – Up stream from the road bridge, remove the meshing net from the prohibited methods. Authorise the use of a meshing net by the method known as splashing between sunset and sunrise from March to November. Maintain meshing net restriction on weekends, public holidays and NSW school holidays.	0	123
33. Bournda Lagoon – The whole of the waters of Sandy Beach Creek and Bournda Lagoon. Methods of fishing prohibited – Any method involving the use of a net, other than the dip or scoop net (prawns) and landing net. Proposal – Remove the meshing net from the prohibited methods. Authorise the use of a meshing net not exceeding 300 metres in length by the method known as splashing between sunset and sunrise from March to November. Maintain meshing net restriction on weekends, public holidays and NSW school holidays.	0	72

Note that the 164 in opposition of potential amendments to all estuaries/creeks are not included in the tallies for individual estuaries, likewise with the one submission who supported all proposals and the numbers from petitions.

In addition to the estuaries mentioned above, the public also provided feedback on potential changes to trapping in estuaries; all were in opposition as indicated below.

Additional proposals specific to Estuary General Trapping	Number support	Number oppose
1. Richmond River	0	1
2. Evans River	0	1
3. Clarence River	0	2
4. Clarence River	0	2
5. Warrell Creek	0	1
6. Hunter river	0	1
7. Wagonga Inlet	0	1

Appendix 14 – Reasons for opposition by the public to potential amendments to existing netting closures in estuaries

Reason	Typical concerns indicated in comments from public submissions
Ecological concerns	- ICOLLs are sensitive environments, which are susceptible to environmental change; hence [the body] is of the belief that increased commercial fishing effort will have a detrimental impact on the fragile south coast estuaries and their complex ecosystems, including fish stocks. Issues exist around recruitment, habitat destruction, depletion of fish stocks, fish kills, algal blooms etc. associated with ICOLLs. - Additional commercial fishing effort will deplete stocks. Aquatic weeds (i.e. <i>Caulerpa taxifolia</i>) that are detrimental to the environment can be easily spread between estuaries particularly through the use of commercial netting equipment. Many estuaries are iconic recreational fishing havens. Extra pollution from commercial fishing operations, erosion factors. - Fish stocks have not recovered from previous commercial fishing efforts. A small population of the threatened Black Cod (<i>Epinephelus daemeli</i>) in the Wagonga Inlet are already under considerable pressure from recreational fishers. Nets will resuspend sediments and increase turbidity, which will devastate the oyster industry. Threats to resident mammal populations. Meshing will result in the loss of bird species reliant on these rivers and creeks. Commercial fishing in estuaries is unsustainable. - The extremely large number of commercial fishermen (34) does not present a sustainable future for Lake Illawarra and the local environs. The laws allowing certain species caught as bycatch to be sold are already over the top and unheard of. - Netting practices show little discrimination between commercially viable species and bycatch species, and have the ability to severely deplete brood stocks. - These areas act as sanctuaries and nurseries for nearby fisheries. The destruction of bycatch by pelicans and other seabirds is not sustainable fishing practice. Netting produces much bycatch losses in small fish and untargeted species. Every bay and estuary in NSW in which commercial operations have been removed or reduced has produced far better overall outcome for all stakeholders. - Estuary netting should be more restricted in available locations and in numbers of operators. - Closure of commercial activity in our local systems has been very successful and has benefited both commercial and recreational inshore fisheries.
Impacts on tourism	- Recreational fishing is a large draw card for tourism with a high percentage solely travelling to the area to fish; allowing increased netting will negatively impact this. - Reductions in fish stocks in Merimbula Lake will have negative flow on effects into the local community in terms of tourism and economic growth. Holiday fishers are not going to stay in places where the fish populations have been decimated; they will take their money overseas. - Reducing commercial fishing in our waterways will increase tourism and reduce youth unemployment.
Community conflict	- Increased netting will create further community angst. Also between commercial and recreational fishers. There is a safety issue, having nets set and commercial fishing operations/boats and operating in rivers to children, in small craft including dinghies, kayaks, and canoes etc. - The proposed amendments to the EGF closures are self-serving and are not in the general public's best interest. - The use of nets in estuaries should be reduced not expanded as proposed in the options paper.
Social impacts on rec fishers	Impact on recreational fishers of allowing more netting will be less rec opportunities now and for future generations.
Economic	- Concern for fishers who are expected to increase catch but resources may not be available, and so financial issues will arise. - Poor commercial economic performance is no reason to change existing netting closures. It makes no economic sense to re-introduce nets into these waters. Recreational fishing is a resource that brings in far more revenue than commercial fishing. - Will affect the oyster industry. Will impact local economy. - Benefits to local economy and employment, will impact on property values. If netting is reintroduced into our lakes and rivers I may have to reconsider where I spend my remaining years. I will sell our holiday house and stop coming to Merimbula.
Lack of science	- Of major concern is that the proposed changes do not appear to have been based on any detailed science or understanding as to the carrying capacity of the individual estuaries, species diversity or available fish stocks. - A socio-economic survey study should be done on the impact to tourism in these areas and other stakeholders. The proposal does not include the promised scientific audit, and investigation of an area and resource access swap proposal, agreed to both the recreational and commercial fishermen. - There needs to be EIS and EIA conducted prior to considering removing any restrictions. - No information in the paper indicating why the closure was initially introduced, the year the closure was introduced, the justification for changing the closure, the characteristics of the waters i.e. safe passage.
Catch rates	- Catch rates perceived as poor. Current recreational catch rates are low and declining. - The Brunswick River is only just getting decent sized fish in after about 10 years of no commercial fishing, we already have strict guidelines on what is legal size is all the good practice we have had over the last few years with be thrown out the door.

Reason	Typical concerns indicated in comments from public submissions
Size of lake	• Mesh nets up to 300m in length are too large for some areas, Bournda lagoon is very small ICOLL which is closed for the majority of the time. • Allowing commercial fishers to use large nets will create maritime navigation safety issues for recreational anglers and vessels.
Aesthetics	• Artificially propping up the commercial fishing industry, which already subsists on 85% imports, by allowing access to fragile coastal estuaries may well result in loss of amenity for recreational fishing and associated tourism. • Any vehicle access that would be created for access by commercial fishers would be a blight on the landscape. • Recreational anglers and members of the public do not like seeing nets used on there local waterways.
Conflict with recreational fishing policy	• The proposals to open estuaries affect 33 estuarine areas state-wide, these proposals are in conflict with recreational fishing policy.
No cost/benefit analysis	• No study has been undertaken to determine the impact vs the benefit of opening the estuaries to commercial netting. Commercial operators benefit but a few whereas recreational operations benefit the community on mass. • If there are positive economic benefits that do not come at the cost of environmental harm or potential environmental harm then I fully support the reform.
Aboriginal cultural values	• The people of the Gumbaynggir nation are opposed to the re-opening of estuaries (the Boambee, Pine, Warrell and Bonville Creeks) to commercial fishing based on cultural values. • The Bournda National Park is home to 26 sacred sites a number of which are located directly adjacent to the lagoon.