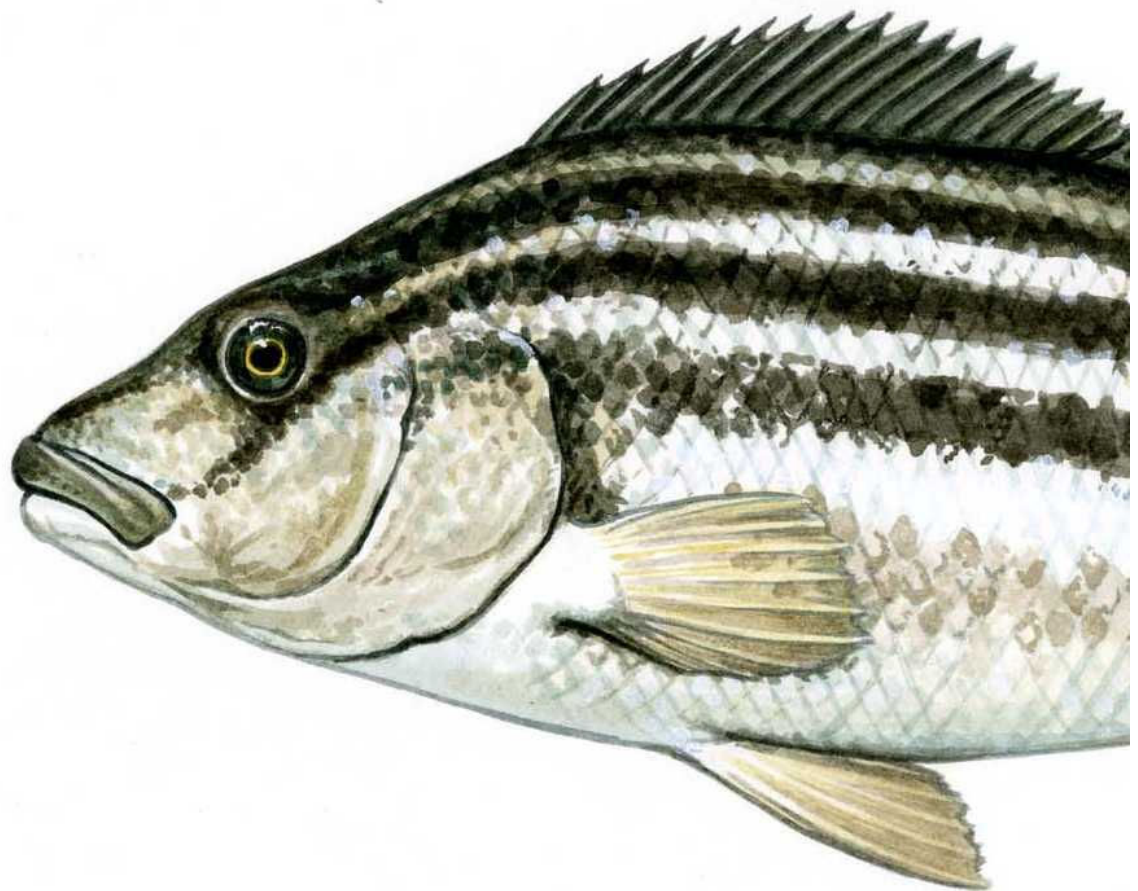


Scalefish Fishery Review 2008/9

Information Paper for Alterations to the Scalefish Fishery Management Plan

March 2009



Tasmania
Explore the possibilities

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I. Introduction

Tasmania's major marine fisheries have individual management plans developed under the *Living Marine Resources Management Act (1995)* (the Act). Each fishery's rules are set out in these management plans which have the overall objective of the sustainable use of Tasmania's marine resources. The current management plan for the Tasmanian Scalefish Fishery—the *Fisheries (Scalefish) Rules 2004*—is under review. The process for the review is outlined in Figure 1.

The Tasmanian scalefish fishery includes diverse recreational and commercial fisheries taking a range of species using a variety of gear types including hooks, gillnets, fish traps and seine nets. It also includes the use of scalefish fishing gear by commercial rock lobster fishers.

Although the scalefish fishery's economic value is relatively low compared with some Tasmanian fisheries, it is important both socially and economically on a regional and statewide basis. The commercial fishery provides employment in the catching, processing and retailing sectors. It also provides access to fresh seafood for Tasmanians who want to consume locally-caught seafood. Recreational fishing is an important social activity undertaken by more than one in four Tasmanians in marine waters every year. The recreational fishery also makes a significant contribution to the Tasmanian economy.

I.1 WHY ARE WE HAVING A REVIEW?

The status of our fish resources changes from time to time, as does our knowledge of the ecological processes that support these resources. Community expectations of the fisheries management practices also change. This is why all management plans have an expiry date so they can be periodically updated to reflect current community values and recent fisheries science. The current scalefish management plan expires on 1 November 2009 and must be reviewed before this date, including changes to the duration of the plan. It is important that you take the opportunity to comment on the proposed amendments during the consultation period.

I.2 CONSULTATION ARRANGEMENTS

The Act sets out minimum consultation arrangements for conducting a review of a management plan. The Secretary is to consult with the relevant fishing body and any person the Secretary considers appropriate. Consultation has been undertaken with the certified fishing bodies relevant to the scalefish fishery. For the commercial fishery this is the Tasmanian Seafood Industry Council (TSIC) and for the recreational fishery it is the Tasmanian Association for Recreational Fishing (TARFish).

The Recreational Fishery Advisory Committee (RecFAC) and the Scalefish Fisheries Advisory Committee (SFAC) have been consulted in accordance with the requirements of the Scalefish Fishery Management Plan. These Committees have been an integral part of this review and provided advice to the Department of Primary Industry and Water (DPIW) and the Minister.

The Act requires public notification that the management plan is being altered and that representations be accepted for at least month from the date on which the notice is published. The DPIW will make available all consultation documents to anyone by request as the contacts outlined on page 5. In addition the DPIW will conduct a number of meetings around the state (refer to Table 1).

Table 1: Public meetings for the scalefish fishery review

During the review DPIW fishery managers will hold statewide public meetings. You are encouraged to attend.

Location	Date	Venue	Time
Flinders Island	Monday, 16 March	Whitemark Sports Club	6.30pm
Launceston	Tuesday, 17 March	DPIW Prospect Offices, 167 Prospect Rd	6.30pm
Devonport	Wednesday, 18 March	DPIW Stoney Rise Government Centre, Rundle Rd	6.30pm
Taranna	Monday, 23 March	Tasman Community Centre, Amy St	6.30pm
Triabunna	Tuesday, 24 March	Triabunna RSL Club, Vicary St (Buffalo Room)	6.30pm
Bicheno	Wednesday, 25 March	Bicheno Meeting Hall, Burgess Street	11am
St Helens	Wednesday, 25 March	Tidal Waters St Helens Resort, 1 Quail St	6.30pm
Hobart	Monday, 30 March	Royal Yacht Club of Tasmania Marieville Esplanade, Sandy Bay	6.30pm
King Island	Tuesday, 31 March	Council Chambers cnr George & Meech Streets	6.30pm
Smithton	Wednesday, 1 April	Circular Head Community & Recreation Centre cnr Nelson & Grant Streets	6.30pm
Strahan	Thursday, 2 April	Strahan Golf Club, Meredith St	6.30pm

1.3 REVIEW PROCESS

The review comprises of a number of key steps and two consultation phases. (refer to Figure 1). The purpose of the first phase (now completed) was to identify, prioritise and develop recommendations on issues for review. The second phase has now commenced and the recommendations for changes to the management plan will undergo public consultation.

To facilitate input during the first phase, the Department of Primary Industries and Water (DPIW) produced a paper outlining potential issues for review. A questionnaire was available to provide feedback on the issues raised in the paper. The issues paper was released in late August with the public consultation period ending on 30 September 2008.

Four hundred and sixteen submissions were received during the first consultation stage. A report on this phase, *Scalefish Fishery Management Plan Review - Final report on the first consultation phase – Identifying Issues for Review*, is available for download from the DPIW fishing website (www.fishing.tas.gov.au) or may be obtained by phoning 6233 7042.

The RecFAC and the SFAC are the key representative bodies that provide advice to the Minister on scalefish fishery management issues. Both the RecFAC and SFAC have considered the issues raised during the initial consultation process and provided recommendations on the issues in this information paper. This advice has been considered by DPIW and form the basis of recommendations in this paper and the proposed amendments to the Scalefish Fishery

Management Plan. Although the RecFAC and SFAC have provided advice on the review, the DPIW has made the final recommendations to be considered by the Minister for inclusion in the information paper, and in the draft changes to the *Fisheries (Scalefish) Rules 2004*.

Not all issues will be addressed by rule changes at this stage. Some may be addressed by educational measures and others may require further development and consultation.

At the conclusion of the second public consultation period, the RecFAC and SFAC will consider the responses and provide final advice on the draft management arrangements. After considering this advice, the DPIW will make the appropriate alterations to the draft management plan and final recommendations to the Minister. The Minister decides whether to accept the final recommendations and the revised management plan. The amended management plan will take effect on 1 November 2009.

I.4 FRAMEWORK OF THIS PAPER

The first section of this paper discusses the proposed alterations to the Scalefish Management Plan. The second section provides responses to some of the key issues raised during the first consultation phase that are not being addressed during this review. This paper should be read in conjunction with the draft *Fisheries (Scalefish) Amendment Rules 2009* and the cost benefit analysis (if required by the Economic Review Unit- Department of Treasury and Finance) on the proposed amendments. These documents will be available before the end of March 2009, from the DPIW fishing website (www.fishing.tas.gov.au) or may be obtained by request by email at fishreview@dpiw.tas.gov.au, or by phoning 6233 7042. You may express an interest to be sent these documents as they become available.

This paper refers to recreational and commercial fishing rules. It should be noted that these rules also apply to Aborigines conducting Aboriginal fishing with the exception of licensing requirements.

I.5 WHAT CAN I COMMENT ON?

Comments about other aspects of the fishery not specifically related to the proposed alterations will be considered but will not be incorporated as legislation due to the consultation requirements of the Act (refer Section 53 & 55). Educational or policy solutions on all topics are able to be considered. If a matter raised requires legislative constraint and is outside the scope of the proposed alterations, it may be considered in a future review.

Only issues relating to the Tasmanian scalefish fishery can be considered in this review. Rock lobster, abalone and scallop issues will not be considered. There are a number of other fisheries that interact with the Tasmanian scalefish fishery which are not covered under this review. They are either managed by other jurisdictions (such as the Commonwealth) or are subject to other management plans. There may be separate opportunities to have input to the development of management arrangements for these fisheries.

I.6 WHAT WILL HAPPEN TO MY COMMENT?

All submissions will be considered and acknowledged as received. No direct response will be provided to respondent regarding issues raised within submissions.

All submissions will be considered in making final recommendations on the proposed changes. Submissions received will be summarised into a report and presented to the Minister. The report will be available on the DPIW website after the Minister has approved any changes to the management plan. Names of respondents will be published in the report, however personal information such as addresses will be removed. Any person making a submission who does not want their name published must indicate this in their submission.

I.7 HOW TO LODGE A RESPONSE TO THE PROPOSED ALTERATIONS

No special forms are required to lodge a submission. Include your name and briefly identify yourself if you are from a particular sector (eg. commercial, recreational, charter boat operator, processor, fish retailer etc.) Please provide reasons for your views.

Responses can be submitted to DPIW in the following ways:

- ✉ email to: fishreview@dpiw.tas.gov.au (use receipted mail)
- ✉ mail to: Scalefish fishery Review
DPIW
GPO BOX 44
HOBART TAS 7001
- ✉ fax to: (03) 6223 1539, marked "Attention: Scalefish Review"
- ✉ hand deliver to: Wild Fisheries Management Branch, DPIW
Level 1, Marine Board Building
1 Franklin Wharf, Hobart

Submissions on the proposed changes to the Scalefish Fishery Management Plan must be received by 30 April 2009.

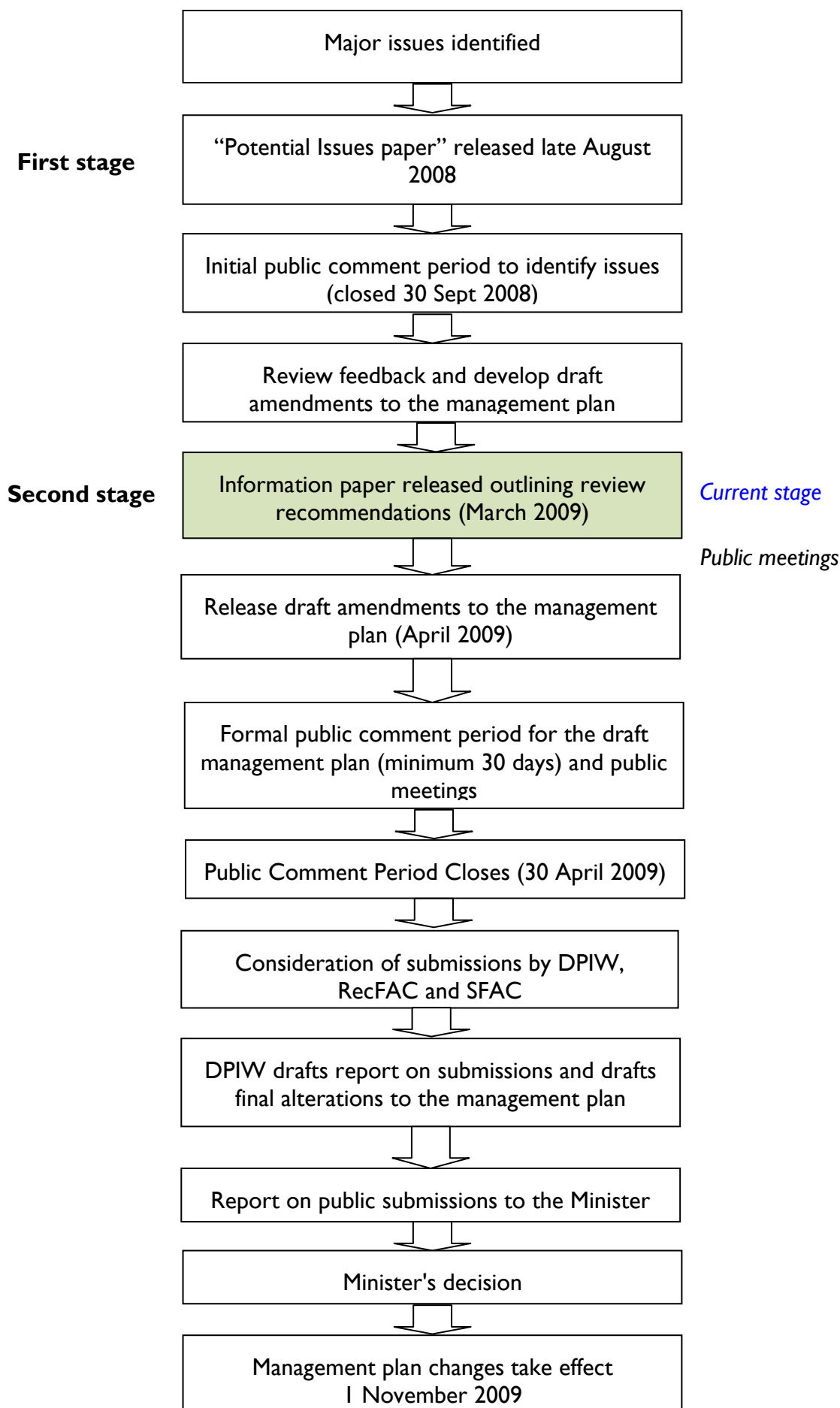
I.8 HOW WILL I FIND OUT ABOUT THE FINAL CHANGES?

All licensed commercial scalefish fishers will be sent notification of the final changes before they are implemented. It is not possible to mail out the changes to all recreational fishers. The key changes for the recreational fishery will be highlighted in the 2009/2010 Recreational Sea Fishing guide. In addition they will be available from the DPIW contacts below;

Where do I find out more information, including additional copies of papers?

- by following the links on the DPIW website www.fishing.tas.gov.au; or
- by telephoning Wild Fisheries (03) 6233 7042 (recreational) or 6233 6717 (commercial); or
- via email to fishreview@dpiw.tas.gov.au

Figure 1: Schedule for the scalefish management plan review



2. Proposed amendments to the scalefish fishery management plan

2.1 IMPROVING FISHING PRACTICES – MAXIMUM SOAK TIMES FOR GILLNETS

During the initial consultation period, various options for improving fishing practices in the commercial and recreational sectors were put forward. A legislative approach (i.e rule changes) are considered appropriate to set minimum standards for the use of gillnets. The objective of these measures is to reduce fish wastage, limit the catch of non-target species (including wildlife) and assist the survivability of released bycatch. The DPIW's view is that other improvements in fishing practices can be achieved by education.

The options of attending gear and setting maximum soak times were discussed during initial consultation. A high level of support was indicated for measures that encourage regular checking of fishing gear and removal of catch. Maximum soak times were preferred to visual attendance requirements particularly where fishers engage in other fishing or marine activities. This would allow fishers to leave the area in which a net is set to engage in other marine activities. Maximum soak times of between 90 minutes and 6 hours were suggested during initial consultation.

Following the initial consultation period, the RecFAC, SFAC and a working group with representatives from the recreational and commercial sectors discussed issues associated with attending set fishing gear. They concluded that there was a greater need to improve fishing practices for gillnets than for set lines (long lines and droplines). The two issues which emerged with regard to set lines were a lack of information regarding set line usage in the recreational sector and whether set lines are appropriate gear type for recreational fishing. These issues are discussed in the next section. At this stage, it is proposed that maximum soak times only apply to gillnets, and that measures are applied equally to recreational and commercial use.

There is general agreement among stakeholders that a maximum soak time of 2 hours represents “best practice” in reducing fish wastage, maintaining product quality and increasing survivability of released bycatch. However, a legislated maximum soak time of 2 hours would not be practical in all circumstances and may be overly restrictive. Therefore, it is proposed that a legislated maximum soak time of 2 hours should apply in specific areas of most need such as shark refuge areas (SRA).

Applying the “best practice” maximum soak time of 2 hours in SRAs recognises the importance of these areas in protecting school and gummy sharks (refer the later section about the importance of SRAs). SRAs also tend to be inshore sheltered areas that are highly valued and frequented by the recreational sector, and such measures will minimise the impact of gill netting on other fish stocks.

Only a small number of commercial endorsement holders can use gillnets in parts of shark refuge areas (SRAs), a policy which aims to reduce gillnet impacts on school and gummy sharks. It seems appropriate that the recreational impact is also reduced. As such a maximum soak time of two hours should at the very least apply in Shark Refuge Areas (SRA). [Note: commercial fishers are only authorised to use a gillnet in an SRA by endorsement. This endorsement is removed if they exit the fishery.]

A maximum soak time of 6 hours is proposed for waters outside SRAs. Six hours represents a period that accommodates day to day fishing practicalities.

In practice, fishers should undertake their fishing operations in a manner that eliminates or minimises wastage and bycatch. This may include aiming to check their set fishing gear more frequently than the legislated times. Fishers should consider not using set fishing gear and

maintaining a visual watch in certain areas to prevent wildlife interactions. This is discussed further under “Reducing Wildlife Interactions”.

The proposed amendment to gillnetting is to introduce a maximum soak time of 6 hours for both commercial and recreational gillnets in all State waters where gillnetting is a permitted activity, except in SRAs, where a maximum soak time of 2 hours will apply.

RECOMMENDATION:

- ***Introduce a maximum soak time for the use of all gillnets by commercial and recreational fishers. The maximum soak time is 2 hours in all Shark Refuge Areas and 6 hours in all State waters.***
- ***Target an education message regarding improving set gear fishing practices by recreational fishers either in the recreational sea fishing guide or through a pamphlet in licence renewals.***

2.2 RECREATIONAL SET LINES: LICENCES AND USAGE

Recreational fishing licences are issued to assist in the sustainable management of our living marine resources. Licences provide a contact point for people engaging in certain fishing activities and provide the resources for the management, education and research of recreational fisheries.

Currently, sea fishing licences are required for high value species, species that require close monitoring or fishing gear that may have relatively high impact on the resource. There is no licence requirement for rod and line fishing in marine waters. Licences are needed to take rock lobster, abalone and scallops and to use gillnets and mullet nets. Aborigines are exempt from holding a licence, although other management requirements, such as size and possession limits, still apply.

The sea fishing recreational licence framework operates as an endorsement system. A minimum base licence fee applies to each person for the first type of licence, then an additional ‘endorsement’ fee applies for each extra licence type. The fees are indexed to the Consumer Price Index (CPI); the cost in 2008/9 is \$38.40 (or \$25.60 for government issued senior concession card holders) for the first licence and \$6.40 for each additional licence type.

This licensing framework allows researchers to identify fishers who are endorsed for specific fishing activities for survey purposes. It also allows the DPIW to identify certain fishers to disseminate fisheries education material or notify them about fisheries reviews or management changes.

The DPIW proposed two additional recreational licences in the Potential Issues Paper in August 2008 – a set line licence (for longline and droplines) and a game fishing licence (primarily for tuna). Recreational fishers use longlines mainly to target gummy shark, droplines for striped trumpeter and blue eye trevalla, and rods and line for tuna. The proposal to introduce a recreational set line licence is included in the amended draft Scalefish Rules. The game fishing licence is not being progressed mainly due to the complexities for compliance with licensing associated with the generic nature of the fishing gear (rod and line) used to target multiple fish species, and the practice of catch and release. Options for monitoring the catch and effort of this sector will however need to be investigated.

It is difficult to assess the impact of recreational fishing activities on fish stocks without accurate estimates on participation and catch rates. An additional ‘set line’ licence will allow the DPIW to better understand the use of such gear types and to conduct surveys of licence holders to estimate total catch levels. A fee would be levied for a set line endorsement on a recreational fishing licence in a similar manner to other gear and species licences.

In addition to licensing recreational set lines, the DPIW previously consulted on whether the amount of hooks on recreational lines should be reduced from the current 30 hooks; and the appropriateness as recreational fishing gear.

In relation to recreational set lines, the following issues were highlighted from initial consultation:

1. The current knowledge regarding the extent of the use of set lines is limited; and
2. Whether set lines are an appropriate gear type for recreational fishing; and
3. Number of hooks may exceed possession limits; and
4. The potential wastage of fish.

The DPIW has concerns regarding this latter point, particularly due to reports of hooked striped trumpeter being vulnerable to seals when the lines are hauled. Therefore public comment is sought on whether an alternate recommendation prohibiting the use of set lines for recreational fishing should be implemented.

RECOMMENDATION:

- *That a licence is required to use recreational set lines.*

ALTERNATIVE RECOMMENDATION:

- *Prohibit the use of longlines and droplines for non-commercial fishing.*
- *The DPIW are particularly seeking comment on the alternative.*

2.3 PROHIBITING THE TAKE OF COMMERCIAL SCALEFISH IN CERTAIN AREAS

Some recreational fishers favour prohibiting all commercial scalefishing from certain areas and setting areas aside for the exclusive use of recreational fishers. A number of areas were suggested during initial consultation. Although the DPIW considers that the current principles of area management should generally apply, this concept may be feasible for Ansons Bay and Port Sorell. A strategic response to these resource sharing issues is also discussed in a later section under “Resource Sharing”.

Generally, the DPIW maintains the principle that access to certain areas should not be restricted to one sector. In areas of high importance or where there is conflict between sectors, restrictions on gear types are the primary management tool used. For example, no netting areas may limit fishing impacts and also limit conflict between commercial and recreational fishers because all gillnet fishers are excluded. The current management plan has a number of closed areas for specific commercial types of fishing gear.

SRAs have, to a certain degree, effected a resource sharing arrangement in many inshore sheltered areas, although the intent of these areas is to protect sharks in key breeding habitats. The use of recreational gillnets in these areas continues to be permitted in specified parts of SRAs, although some additional restrictions apply. The use of commercial gillnets in all SRAs is gradually being phased out, and only commercial fishers with an endorsement are able to use gillnets in specific SRAs. These endorsements are non transferable and cease to exist when the operator exits or retires from the scalefish fishery.

The DPIW principle does not preclude consideration of resource sharing arrangements that exclude commercial scalefish activities, as similar areas already exist in the current management plan. The take of scalefish for commercial purposes, for example, is entirely prohibited in the D’Entrecasteaux Channel and Georges Bay. Similarly, only endorsed fishers are allowed to fish for scalefish for commercial purposes in the Derwent River and Macquarie Harbour.

Ansons Bay and Port Sorell were nominated during the consultation period as feasible areas where commercial scalefishing may be prohibited. They are highly valued for their recreational values and fishing opportunities. Importantly, commercial catch records indicate there is no significant commercial reliance on scalefish fishing in Ansons Bay and a very low level for Port Sorell.

Port Sorell is a SRA which has two commercial fishers currently endorsed to use gillnets. As these endorsements will be removed when the fishers retire from the fishery, it would be prudent to continue to allow access for these two endorsement holders.

RECOMMENDATION:

- ***Prohibit commercial scalefish fishing in Ansons Bay and Port Sorell with the exception of the two scalefish fishers who have a gillnet endorsement for Port Sorell. These endorsements are owner operated, non transferable and will be removed when the fishers exit the fishery.***
- ***Develop long term policy for scalefish resource allocation.***

2.4 RESTRICTIONS ON SHARK FINNING

The practice of shark-finning, where sharks are caught solely for their fins and the carcass is discarded, is not common in southern Australia. This minor amendment will provide consistency with Australia's National Plan of Action for the Conservation and Management of Sharks and other international agreements on shark management.

The current scalefish rules allow shark fins to be removed as long as the carcass is retained and landed with the fins. To enhance current legislation, it is proposed that all fishers will be required to land sharks with their fins still attached to the carcass. This proposed rule change will accommodate the removal of the tail and other certain fins to 'bleed' fish to maintain food quality.

RECOMMENDATION:

- ***The amended rules require that all sharks must be landed with the fins attached with the exception of pelvic fins, claspers and the tail.***

2.5 STRIPED TRUMPETER

Striped trumpeter is an iconic Tasmanian table fish with a long history of commercial exploitation. It is taken by a variety of methods; with hooks (including droplines) and gillnets the primary methods. Striped trumpeter are targeted by commercial rock lobster, scalefish and Commonwealth gillnet, hook and trap licence holders. They are also an important and reportedly growing component of the recreational fishery, particularly the charter boat sector.

Concerns regarding the stock status for striped trumpeter have been reported in recent scalefish fishery assessments (refer Fishery Assessment Report Tasmanian Scalefish Fishery 2006, 2007, 2008 which may be downloaded at <http://www.tafi.org.au/index.php/site/publications/category/scalefish/>). There has been no evidence of strong recruitment for over a decade and it appears that the fishery is highly reliant on fish spawned in 1993/4. The average size of fish caught may actually increase, however the spawning biomass will decline as a consequence of fishing and natural mortality. The medium term prognosis is that population growth will be slow in the absence of a period of sustained strong recruitment.

A recent workshop was held with representatives from commercial, recreational, charter boat and conservation sectors to discuss the current status of the stocks and hear fishers' observations about the fishery. Workshop participants recognised that there is limited data for

the fishery and acknowledged that management action is needed to address the signals of stock decline. This may occur by reducing total catch to ensure adequate protection of spawning fish and increase the probability of a future successful spawning and recruitment event. The workshop considered the following information and proposed that a suite of management measures be applied.

2.5.1 Status of striped trumpeter stocks

Commercial catches have declined markedly in recent years. This may be due to reduced targeting as a result of the 250 kg trip limit imposed in 2000. Commercial fishers have reported that the trip limit removed the economic viability to target striped trumpeter on a dedicated fishing trip, particularly those that require extensive travel. The trip limit appears to have been the main driver for reducing the commercial catch which has declined from around 100 tonnes per year in the late 1990s to around 20 tonnes annually in the last few years.

Recreational catch estimates are derived from periodic statewide recreational fishing surveys. A survey has collected data for the 2007/8 recreational fishing season, although the results will not be fully analysed and published until late 2009. Although preliminary observations are available from this survey, the most recent recreational catch estimate is for the 2000/01 fishing season. Lyle (2005) reported that in 2000/01, the estimated recreational catch of striped trumpeter was 38 tonnes, while the reported commercial catch was 49.6 tonne for the same period. Therefore, the recreational catch was 43 %, and the commercial catch was 57% of the total catch in that year, (J.M Lyle (2005) “2000/01 Survey of Recreational Fishing in Tasmania, TAFI Technical Report Series Number 24”, which can be downloaded at http://www.tafi.org.au/index.php/site/publications/category/technical_reports/).

Although the results of the 2007/08 recreational survey are not yet available, indications are that the recreational fishers have become the dominant catch sector for striped trumpeter. This is based on increased participation, boat ownership (particularly larger boats), recreational charter boat activity and increased fishing power from the use of modern fishing aids such as colour sounders, GPS and pot haulers.

2.5.2 A combination of measures are required for striped trumpeter

Recreational possession and boat limits

As well as a possible increase in recreational fishing effort, there was also potential to increase individual recreational fisher effort due to the removal of daily bag limits in 2004. The daily bag limit of 5 was replaced with the current possession limit of 8. The move to possession limits in effect allowed an increase in daily catch. Given the stock status for striped trumpeter there is justification to consider decreasing the possession limit.

At the workshop, there was much discussion regarding an appropriate possession limit, ranging from 2 to 5. These numbers were similar to those suggested during the initial consultation period and many suggested that a possession limit of 2 or 3 striped trumpeter is adequate for a ‘feed of fish’. Although a possession limit of 2 to 3 will drive down the recreational catch, most at the workshop believed a combination of a more generous individual possession limit of 4 combined with a total boat limit of 15 striped trumpeter would achieve a similar objective. In particular, the boat limit will reduce the ability of charter boats and large recreational vessels to land, what some consider, commercial quantities of fish.

A reduction in the recreational “personal” possession limit from 8 to 4 is unlikely to have an adverse impact on most recreational fishers. Four striped trumpeter are considered more than enough to feed a family. Preliminary data from the 2007/08 recreational survey suggests that only around 10–15% of successful fishing trips result in the possession limit being reached and around 50% of successful trips result in only 1 or 2 fish being caught per person.

Commercial trip limit

It is proposed that the combined commercial trip limit for striped trumpeter, snapper and yellowtail kingfish be reduced from 250kg to 200kg. This reduction is in response to a view that restrictions should be applied to all sectors irrespective of previous reductions. It should be noted that commercial catch has declined substantially since the introduction of the trip limit in 2000.

Size limit

There is strong support for increasing the protection of the spawning stock by increasing the minimum size limit to a level where 50% of mature fish are protected. A size of around 600 mm corresponds to a size where 50% of females reach maturity, so the current minimum size limit (450mm) offers only a low level of protection for spawning stock. Only a small proportion of fish at this size are sexually mature, although this does vary depending on the location of the fish. The RecFAC and general consensus of the workshop supported an increase to 500mm. While this still does not allow 50% of the stock to reach maturity, it is a higher level of protection and combined with other measures, is considered appropriate at this time.

Landing of whole fish

Due to the concerns about the status of striped trumpeter stocks, a requirement to land whole striped trumpeter is also proposed. This provides a greater ability to enforce breaches of the legal minimum size requirements.

Seasonal closure

A seasonal closure will also assist in the protection of spawning stock, and in reducing the total catch. A closure will operate this year from 1 September to 31 October 2009. Spawning is known to occur from August to November and this closure corresponds with the peak period.

The 2009 closure has been approved under the current rules. It is likely that a closure will be maintained in future years to protect spawning aggregations and to limit total catch. The period of future closures will be considered annually.

RECOMMENDATION:

A suite of management changes for striped trumpeter that includes:

- ***A minimum size limit increase from 450mm to 500mm.***
- ***A reduction in the commercial trip limit from 250 kg to 200 kg (combined striped trumpeter, snapper and yellowtail kingfish).***
- ***Reduce the recreational “personal” possession limit from 8 to 4.***
- ***Introduce a recreational boat limit of 15.***
- ***Introduce the requirement to land striped trumpeter whole (but allow to gill and gut).***
- ***Maintain a seasonal closure to protect peak spawning period. The length of the season will be periodically reviewed.***

2.6 SNAPPER AND YELLOWTAIL KINGFISH

No recreational possession limits or size limits are currently in place for snapper and yellowtail kingfish. The default scalefish possession limit of 15 applies in the absence of a specific limit. It is proposed to implement possession limits for both species and a size limit be introduced for snapper. Only adult yellowtail kingfish are found in Tasmanian waters due to its migratory patterns, therefore a size limit is not considered necessary at this stage.

During the first stage of the review process, there was strong support from all stakeholders regarding implementation of a size limit for snapper and more appropriate recreational possession limits for both snapper and yellowtail kingfish.

Catch limits for snapper and yellowtail kingfish apply to all commercial fishers. A combined commercial trip limit of 250 kilograms of snapper, yellowtail kingfish and striped trumpeter currently applies.

Snapper and yellowtail kingfish have been increasingly caught in Tasmanian waters. Some recreational fishers support giving preference to the recreational sector for these two species by either prohibiting the commercial take entirely or setting a specific commercial bycatch limit, such as 25 kilograms.

The DPIW does not support preventing future commercial opportunities for snapper and yellowtail kingfish as there is no evidence that these species cannot be shared should the populations increase. Furthermore, climate change impacts may see increases in abundance of some species and declines in others. The Tasmanian Government needs to be in a position to adaptively manage its marine resources and to provide industry with the ability to adapt their fishing practices under new climatic conditions, so that the wider community continues to benefit from our fish resources.

DPIW does not consider that a further limitation on yellowtail kingfish and snapper is required however there may be a consequential effect if the commercial catch is lowered by reducing the combined commercial trip limit for striped trumpeter, snapper and yellowtail kingfish from 250 kilograms to 200 kilograms. Given the low level of commercial harvest of snapper and yellowtail kingfish, the reduction is unlikely to have a significant impact on commercial operators.

Recognising that the recreational sector value these species highly, monitoring will be implemented by introducing a 10 tonne commercial catch trigger for yellowtail kingfish and snapper. If the commercial catch of either of these species exceeds 10 tonnes then the fishery will be reviewed.

RECOMMENDATION:

Amend to the rules to:

- ***Implement a minimum legal size limit for snapper of 300 mm.***
- ***Implement a possession limit for snapper of 5 fish.***
- ***Implement a possession limit for yellowtail kingfish of 5 fish.***
- ***Reduce the combined commercial trip limit for striped trumpeter, snapper and yellowtail kingfish from 250 kilograms to 200 kilograms.***

2.7 BASTARD TRUMPETER

There are concerns regarding the stock status of bastard trumpeter. Whilst there is limited scientific data available, commercial, recreational and non extractive users (particularly divers) have expressed concerns about the scarcity of these fish around inshore reef habitats where they were abundant in the past. These fish are largely taken as bycatch in the commercial fishery rather than a target fishery. Commercial catches are stable, at around 20 tonnes per year in the past five years and they have remained at these low levels since the mid 1990's.

Approximately 50% of bastard trumpeter are sexually mature at around 500 mm. Both the commercial and recreational fisheries are based on the harvest of juvenile bastard trumpeter that spends part of their life-cycle in inshore waters. A size increase to achieve 50% protection would eliminate the fishery and it is likely that bastard trumpeter would still be caught in

gillnets. A balanced approach is needed to ensure sufficient juveniles make it to offshore waters to breed. It is proposed that an increase in the size limit will allow a greater proportion of juvenile bastard trumpeter to reach maturity and increase the likelihood of future significant recruitment events when conditions are favourable. The proposed size limit increase is from 350mm to 380mm.

Restrictions on the commercial harvest and a reduction in the recreational possession limit are also proposed to reduce the potential harvest levels for this species and ensure adequate numbers of bastard trumpeter reach sexual maturity.

The vulnerability of juvenile bastard trumpeter to inshore netting pressures is considered a risk and the DPIW acknowledges suggestions raised during initial consultation and that of the RecFAC that inshore netting closures would offer further protection. The identification of suitable areas is problematic at this stage and such measures would need to be strategically implemented. The DPIW is interested in views regarding establishing a network of areas that could be considered for closures. This is discussed under the topic of Spatial Management.

RECOMMENDATION:

- ***A commercial trip limit of 200 kilograms is introduced.***
- ***The recreational possession limit of 15 is reduced to 10.***
- ***Investigate having a network of inshore netting area closures.***

2.8 ELEPHANTFISH

The current regulations allow the taking of 5 elephantfish per commercial trip, regardless of whether they were caught inside or outside of a Shark Refuge Area (SRA). The commercial scalefish sector have indicated that that a limit of 5 elephantfish is overly restrictive in areas outside SRAs where elephantfish are not breeding given that there are no sustainability concerns for this species. It is therefore proposed to increase the commercial trip limit of elephantfish to 50 kilograms outside shark refuge areas. Industry would like noted that in preference to the proposed 50 kilogram trip limit they preferred a 250 kilogram limit outside SRAs.

The DPIW recognise that the introduction of a maximum gillnet soak time of 2 hours within shark refuge areas may result in a reduction of the unintentional catch of elephantfish.

The existing catch limits of elephantfish of 5 for commercial fishers and 2 for recreational fishers within shark refuge areas will remain.

RECOMMENDATION:

- ***That the commercial trip limit of elephantfish is increased from 5 bodies to 50 kilograms for fish taken outside Shark Refuge Areas.***
- ***That existing catch limits of elephantfish within Shark Refuge Areas remain for all fishers.***

2.9 BLUE EYE TREVALLA

Blue eye trevalla are large fish taken offshore using handlines and droplines. The current recreational “personal” possession limit is 8. There are no urgent stock concerns with this fishery, however the current possession limit is considered excessive given the amount of meat each legal sized fish contains.

Although the DPIW acknowledges comments made during the first consultation period that fishing trips may be limited due to the offshore nature of the fishery, there is a community

desire to have personal possession limits in line with a “feed of fish” philosophy. A possession limit of 4 is considered more in line with a “feed of fish”.

A boat limit is also recommended to limit the ability for large recreational vessels and charter vessels to take and carry what would be considered commercial quantities of fish.

RECOMMENDATION:

- ***Reduce the recreational “personal” possession limit for blue-eye trevalla from 8 to 4.***
- ***Introduce a recreational boat limit of 15 blue-eye trevalla.***

2.10 SOUTHERN CALAMARI

Recent changes to the management of southern calamari in the commercial fishery have seen licences issued for commercial fishers that operate in the south east region. Scalefish licence holders not holding a southern calamari licence are now restricted to bycatch limit of 10 southern calamari in the south east area.

In recognition of the value and increased targeting of this species by both commercial and recreational fishers, it is considered appropriate to apply similar restrictions to rock lobster and recreational fishers.

The current recreational possession limit is 15, and the current commercial take and possession limit for a commercial rock lobster fisher is also 15. It is proposed to reduce these limits to 10. This restriction will apply statewide.

There is no proposed change to the limits on the taking of Gould’s squid (arrow squid), which is currently 15 for recreational fishers.

The current seasonal closure set each year for the south east will still be maintained. No change to the rules is required for continuing the closure.

RECOMMENDATION:

- ***That the recreational possession limit of southern calamari in all State waters is reduced from 15 to 10.***
- ***Commercial trip limit of southern calamari for rock lobster fishers is reduced from 15 to 10.***

2.11 SETTING NEW COMMERCIAL RESTRICTIONS FOR SMALL PELAGIC FISH

The scalefish rules currently restrict the take of six types of small pelagic fish, sometimes known as baitfish, to small trip limits effectively preventing the commercial targeting of these species.

The current limits are Australian anchovy (10 kg), blue sprat (10 kg), hardyhead (10 kg), king gar (20 kg), Australian sardines (formerly known as pilchards) and sprats (10 kg of each). It is proposed that these trip limits are changed to 20 kg and that a small developmental targeted fishery be allowed for sardine and anchovy.

There has been sporadic commercial interest in these species and various fishers have been issued developmental permits in the past to target larger quantities of species such as sardines and anchovies. To date none of these trials have developed into a successful ongoing operation although there are a number of potential markets for these species including human consumption, recreational bait and fish food.

Small pelagic species are an important part of the marine ecosystem and the food chain and little is known about their distribution, abundance and biology in Tasmanian waters. Significant work has been conducted on sardines in Western Australia and South Australia, both of which support significant fisheries. The DPIW consider that by adopting a precautionary approach, a small fishery may be developed.

It is proposed that the catch restrictions for the taking of Australian sardine and anchovy are lifted to enable exploration of this resource by commercial seine licence holders. To limit the take to precautionary levels a hard trigger limit of 100 tonnes would apply (both species combined). As a precautionary measure, a hard trigger of 20 tonnes would apply for Storm Bay. Once the trigger limit is reached, the targeted fishery will be closed and licence holders would revert to the 20 kilogram trip limits. The 20 kilogram trip limits will apply in all SRAs.

The trigger limit levels will not increase unless reliable scientific evidence is available that supports expansion of the fishery. The funding of scientific research is not within current DPIW priorities and would need to be industry funded. Approved fishing bodies and the Scalefish FAC and RecFAC would also be consulted on any proposed changes.

There are currently 10 purse seine licences and 51 beach seines licences. Only licences authorised to use these gear types will be able to target amounts in excess of these trip limits. No new authority or licences would be created. Current area restrictions will continue to apply to these gear types.

Mackerel fishery access

Current commercial access to these species is limited to scalefish licence holders only. The Tasmanian mackerel fishery is based exclusively on the harvest of mackerel species and redbait. This is a similar fishery in that the target species are small pelagic schooling species and are harvested by purse seines. In the past permits had been issued to allow mackerel licence holders to take Australian sardines to account for unintentional bycatch, this sector have previously expressed an interest in having some formal access to these species.

The mackerel fishery operates under the *Fisheries (Mackerel) Rules 2009*. Stakeholder comments are sought on extending this access to allow mackerel licence holders to take Australian anchovies and sardines.

RECOMMENDATION:**Amend the rules to:**

- **Increase commercial trip limits for 'small pelagic' fish from 10kg to 20kgs.**
- **Allow for the holders of a fishing licence (purse seine) and fishing licence (beach seine) to target anchovy and sardines above the trip limits for those species in areas other than Shark Refuge Areas.**

In addition to the change in the rules, implement policy that:

- **Closes the targeted fishery in all State waters when the "hard trigger" of 100 tonnes of anchovy and sardines (combined) is reached.**
- **Closes the targeted fishery in Storm Bay when the "hard trigger" of 20 tonnes of anchovy and sardines (combined) is reached in Storm Bay.**

Seek preliminary comment on consideration to allow mackerel licence holders to take Australian anchovies and sardines under similar arrangements.

2.12 INCORPORATE THE MANAGEMENT OF OCTOPUS UNDER THE SCALEFISH RULES

Octopus are taken by a broad range of recreational and commercial fishers. Currently, the taking of octopus is legislated under the *Fisheries Rules 1999* and under the *Fisheries (Rock Lobster) Rules 2006* for rock lobster fishers. These rules specify possession limits for octopus, but do not provide a licensing framework for the commercial fishery. Due to the small size of the fishery it is cost effective to include the management and licensing framework within an existing management plan. The *Fisheries (Scalefish) Rules 2004* is an appropriate management plan, particularly as it includes other cephalopods such as squid and cuttlefish.

A small octopus fishery based on taking *Octopus pallidus* using unbaited 'shelter pots' in and around Bass Strait has developed over the last decade or so. There are no doors on the pot. The fishery has been managed under temporary access arrangements by issuing annual permits. Only one operator has consistently landed octopus under these arrangements, using two separate and dedicated vessels for octopus fishing to establish an octopus fishing and processing business.

During the developmental phase, permit fees have contributed to several research projects. The research outcomes and fishing information has provided sufficient information for the Octopus Fishery to undergo an assessment and be accredited for export under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*.

The current operator has a long term involvement with the fishery dating back to when the DPIW took over jurisdictional management of the octopus fishery. It is proposed that two licences be granted to enable the operator to maintain current operations with greater business certainty and also allow the DPIW to manage the fishery under a stronger legislative framework.

A fee will be applied for the initial granting of a licence and a licence renewal fee will be applied. These fees will be calculated in accordance with the government's cost recovery principles. In addition a research and management levy will apply so that funds are available for future management and research projects for this fishery. A separate paper is available on request.

RECOMMENDATION:

- ***Incorporate the management of octopus within the Scalefish rules.***
- ***That management and research costs be collected by amendments to the Fisheries (General and Fees) Regulations 2006.***

2.13 INSHORE CRABS

'Inshore' crabs including the velvet crab (*Nectocarcinus tuberculatus*) and red bait crab (*Plagusia chabrus*) are commonly caught as bycatch by commercial and recreational rock lobster fishers in rock lobster pots. Commercial scalefishers also catch inshore crabs as bycatch from time to time during scalefish activities such as trapping and gillnetting. Recreational divers may also take inshore crabs by hand.

Currently, inshore crab species are not covered in a specific management plan. The inclusion of inshore crab species within the *Fisheries (Scalefish) Rules 2004* will set commercial and recreational possession limits, and offer protection of berried females (carrying eggs).

The Tasmanian Aquaculture and Fisheries Institute (TAFI) have indicated that the retention of inshore crabs as a low level commercial harvest would not present an adverse risk to the sustainability of the population. Biological information suggests that the size at onset of maturity is well below the size at which crabs become fully susceptible to capture by rock lobster pots.

It is proposed that catch limits for inshore crab be kept to low levels. A recreational possession limit of 15 inshore crabs (combined species) and a commercial scalefish trip limit of 25 inshore crabs (combined species) would apply.

It should be noted that in the near future, during a review of rock lobster management plan, different commercial trip limits will be considered for the rock lobster fishery. The Crustacean Fishery Advisory Committee has proposed that commercial rock lobster fishers be allowed a 50 kilogram trip limit with a trigger point for a review if landings exceed 2 tonnes for the rock lobster fishery. Some of the reasoning behind this proposal is that this sector has traditionally used sufficient gear to take these quantities of inshore crab, and that they often undertake multiple day fishing trips.

RECOMMENDATION:

- ***That inshore crabs species of the families Portunidae and Plagusiidae be included within the scalefish management plan***
- ***Introduce a recreational possession limit of 15 inshore crabs (combined species)***
- ***Introduce a commercial scalefish trip limit of 25 inshore crabs (combined species)***
- ***Prohibit the take or possession of berried females***
- ***In addition seek preliminary comment regarding a proposal that a commercial trip limit of 50 kilograms would apply to commercial rock lobster fishers in the Rock Lobster Management Plan and comment on introducing a 2 tonne trigger limit for rock lobster fishers.***

2.14 OTHER ADMINISTRATIVE MATTERS

There are a number of rules in the management plan that need to be rewritten or slightly changed to reflect the original intent of the legislation, remove ambiguity and to ensure that rules are easier to understand. The draft management plan amendments should be referred to for full details.

Recent changes to the *Living Marine Resources Management Act (1995)* separated aboriginal fishing from recreational fishing. The rules will now refer to non-commercial fishing to cover recreational fishing and aboriginal fishing, except where licences are required—noting that licences are not required for aboriginal fishing. This alteration will not change any current access arrangements for aboriginal fishing, and will ensure that aboriginals can continue all activities allowed by recreational fishers.

RECOMMENDATION:

- ***Make minor changes to rules to remove ambiguity or to assist in making rules that are easier to understand.***
- ***In the management plan, ensure aboriginal fishers are able to continue to conduct all activities allowed by recreational fishing.***

2.15 MARKING OF BUOYS

To assist monitoring the time at which fishing gear is set, all fishers must ensure that marker buoys have the required marks. Commercial fishers must mark the buoys with the vessel distinguishing mark, and recreational fishers with the recreational licence number on their buoys. As Aboriginal fishers do not require a licence, Aborigines engaged in aboriginal fishing in the past have marked the buoys on nets with a code supplied by the Office of the Aboriginal Affairs. The practice is operated as a memorandum of understanding—however this requirement has now been incorporated within the rules.

RECOMMENDATION:

- ***Require all users of set fishing gear to have buoys marked with a unique code, so that commercial scalefish fishers are required to mark the buoy with the distinguishing mark;***
- ***Recreational fishers are required to mark the buoy with the licence number;***
- ***Aborigines engaged in aboriginal fishing have the buoy marked with a code supplied by the Office of the Aboriginal Affairs, or other means approved by the Secretary.***

3. Responses to other issues

This section discusses responses to key topics raised during the first consultation stage that are not being progressed by alterations to the management plan during this stage.

3.1 FILLETING OF FISH AT SEA

During the initial consultation phase, the DPIW highlighted the compliance and disease risks of filleting at sea. Responses from initial consultation indicated that there are several consequential impacts if filleting at sea were prohibited, particularly the problem of disposing of fish waste in land/shore based disposal facilities. At this stage there is insufficient justification to prohibit filleting at sea. Should there be a biosecurity risk the DPIW will implement appropriate biosecurity measures at that time.

Filleting at sea will be allowed to continue and the DPIW will encourage good practices through education of appropriate disposal practices that limit interactions with wildlife and possible wildlife dependence on fish waste, disease risks through Fishcare and the *Recreational Sea Fishing Guide*. In terms of addressing compliance risk, the Tasmanian Marine Police will continue their enforcement of size and possession limits.

An exception to this is the proposed requirement for striped trumpeter to be landed whole (but allowing to gill and gut) under the earlier section discussing striped trumpeter management to ensure compliance with size limits. This is considered to be appropriate for this species due to the declining stock trends.

RESPONSE:

- ***Filleting at sea will be allowed to continue, encourage good practices through education. Note the proposals for striped trumpeter and shark finning.***

3.2 ADDITIONAL SHARK REFUGE AREAS

A number of SRAs exist within Tasmanian coastal waters, where the take of any shark, skate or rays is prohibited (excluding elephantfish). These areas have been identified as important habitats that are critical to the breeding of school and gummy sharks, other sharks and rays. Fishing gear restrictions, such as the prohibition of long lines and drop lines and restrictions of gillnets (such as the prohibition of recreational mullet nets, phasing out of commercial gill nets) are management measures that aim to reduce fishing impacts, particularly on pregnant and pupping females and juvenile sharks. School shark are a species currently managed by the Commonwealth with complementary management arrangements by the States to ensure management objectives are met.

Within the first stage of the Scalefish review, respondents to the issues questionnaire were asked to provide feedback on a proposal to introduce new shark refuge areas (SRAs) in various areas of the State including; Franklin Sound (Flinders Island), the River Mersey and around the Hunter Group (including Robbins Passage). Many respondents requested further information and justification for any new areas.

The DPIW has undertaken further consultation with the Australian Fisheries Management Authority (AFMA), the body responsible for the management of school shark and the Commonwealth Gillnet, Hook and Trap Management Advisory Committee (GHATMAC); regarding appropriate new SRAs. These bodies have advised that fishery recovery plans are being investigated for school shark and in the near future research may be instigated to identify key school shark nursery areas. Following these discussions, the DPIW considers it premature to implement any new areas at this stage. When new information becomes available identifying and justifying key habitat areas, new shark refuge areas may be considered.

RESPONSE:

- ***No new SRAs will be implemented at this stage.***
- ***The DPIW may consider areas in the future, if research information identifies key school shark breeding habitat.***

3.3 RESOURCE SHARING

The recreational sector have raised several resource sharing concepts, such as recreational only species and recreational only areas during this review. Resource sharing concepts can be complex, controversial and divisive as it involves the discussion of allocation issues and may involve resource reallocation to achieve an outcome. The importance of dealing with these issues in a strategic and informative manner should not be underestimated.

During initial consultation, the recreational sector indicated strong support for additional areas that restrict commercial access. The commercial sector expressed strong concerns that these concepts would lead to a gradual erosion of commercial fishing rights and have an adverse impact in supplying fish to the wider community. A sensitive and strategic approach toward resolving these differences is required.

After the first consultation period, a working group, comprising of representatives of the RecFAC and SFAC, met on several occasions to discuss various issues. The group made some progress in discussing area based concepts—such as considering prohibiting commercial scalefish operations within Ansons Bay and Port Sorell—and noted the following:

- That there is commercial reliance on many inshore estuarine areas. Although some areas may only be periodically used by commercial scalefish fishers, these areas may be an essential part of the fishing operation over time.
- Commercial gillnetting is being gradually phased out in areas such SRAs as non-transferable endorsements exit the fishery.
- Removal of gillnet fishing for all sectors may improve recreational line fishing opportunities.
- In some areas, even though there is a low level of commercial catch and/or effort, the access may be important to the individual fisher.
- In certain circumstances a negotiated outcome may be warranted if, for example, an individual is forced to give up access to an area.
- In acknowledging the above, the working group indicated that in areas where there is no significant commercial reliance, the feasibility of removing commercial scalefish fishing may be considered.

The group concluded that there is a need:

- For a long term vision for the scalefish fishery that incorporates clear management objectives and ways to deal with scalefish allocation issues.
- To assess the socio-economic importance of all fishing sectors prior to considering the removal of commercial scalefish fishing from an area.

RESPONSE:

- ***Develop a long term strategic vision for the scalefish fishery that incorporates clear management objectives and ways to deal with scalefish allocation issues.***

3.4 REDUCING WILDLIFE INTERACTIONS

The need to reduce potential wildlife interactions has been highlighted during previous scalefish reviews, marine planning processes and in conservation management plans (particularly for small islands). There appears to be overwhelming support for the principal of reducing the risk of wildlife interactions with fishing activities, for no one wishes to see penguins or other birds caught in a gillnet.

The DPIW's Resource Management and Conservation Division are working with the Wild Fisheries Management Branch to develop some recommendations regarding the impact of fishing gear on wildlife. This will help identify changes to fishing behaviour which could help minimise interactions with wildlife.

No recommendations have been developed to date therefore no proposed changes will be reflected in the draft rules. The Wild Fisheries Management Branch will continue work with the Resource Management and Conservation Division as well as industry advisory bodies to promote more responsible fishing practices into the future.

RESPONSE:

- ***The DPIW will identify high risk areas and consider appropriate management or education mitigation measures.***

3.5 SPATIAL MANAGEMENT

A number of no-netting areas exist in the fishery at present. After consideration of the issues and consultation with the relevant advisory committees, the current arrangements in place are considered to be appropriate and working effectively. During the initial consultation period various respondents and the RecFAC have suggested that the prohibition of netting in additional areas may be beneficial in managing many issues.

Reasons for spatial management include resource sharing, wildlife interactions and protection of juvenile species such as bastard trumpeter. No new no-netting areas should be considered until DPIW has determined a policy direction that includes the objectives for such measures, research information, and input from key stakeholders.

DPIW are interested in views that will assist in developing a strategic vision, including objectives and suitable areas.

RESPONSE:

- ***The DPIW, with key stakeholder input, will develop a strategic vision for the scalefish fishery that incorporates netting closures that meet a range of objectives, including management or education mitigation measures, resource sharing, wildlife interactions and protection of juvenile species such as bastard trumpeter.***

3.6 DANISH SEINE LICENCES

There are 8 fishing licences allowing the use of Danish seines in Tasmanian coastal waters under the *Fisheries (Scalefish) Rules 2004*. These licences are non-transferable.

The DPIW previously indicated that consideration may be given to removing the non-transferability provisions for active licences, and managing the fishery at a finer spatial scale, including introducing additional area management measures and capping the catch and/or effort.

There are a number of issues associated with the management of this sector of the scalefish fishery. The primary issue is the conflict with the recreational sector. Overlaying this conflict is a misunderstanding of the Danish seine operation itself and the assumption that it operates in the manner of a traditional demersal trawler. Board trawling is prohibited in Tasmanian waters.

Given the complexities of this issue and to allow for a properly informed debate about the management of this sector, a separate review should be conducted outside the current scalefish review.

What is a Danish seine operation?

In Tasmania, Danish seines are used to take tiger flathead and whiting. A Danish seine is a net that is deployed off a fishing vessel. One end of the net line remains at an anchor point and the other end is towed out to encircle an area. The fish are encircled and the net is dragged back to the vessel. A minimum mesh size of 70 millimetres assists in reducing the catch of undersize. Various area closures apply for this type of gear.

For example Danish seining is prohibited:

- within one nautical mile of the coast (unless otherwise endorsed); and
- within Anderson Bay ; and
- south of line from the north east tip of East Sandy Cape Point to the tower on Hardwicks Hill near Croppies Point, unless the licence is endorsed to use Danish seine in those waters.

RESPONSE:

- ***Provide more information regarding the Danish seine fishery.***
- ***Consider the licence status and area management of the Danish seine fishery in a separate review.***

3.7 CEASING THE ISSUE OF A PERMIT FOR USE OF COMMERCIAL GILLNETS IN EAGLEHAWK BAY

In the previous scalefish review, Eaglehawk Bay became a 'no gillnetting' area (refer Rule 89 (2)). As a transitional arrangement, one commercial operator has been authorised by permit to continue to use gillnets in Eaglehawk Bay to assist in the collection of octopus. This arrangement was intended to allow the fisher a period of adjustment before removing the use of gillnets as part of his fishing operation.

In the interest of consistency with other commercial and recreational users of Eaglehawk Bay no permits will be issued beyond 1 November 2009. No legislative change is required to remove this access and no permits will be issued in the future.

It should be noted that the hand collection of octopus in Eaglehawk Bay and existing possession limits will continue.

RESPONSE:

- ***DPIW will not issue any more permits for the use of gillnets in Eaglehawk Bay.***