

**Noosa Council submission to the Queensland Government: Sustainable Fisheries Strategy 2017-2027 - Discussion Paper: Proposed amendments to the Fisheries Regulation 2008.**

Noosa Council welcomes the opportunity to make a submission to the Queensland Government's Discussion Paper as part of the current round of public consultation on the *Sustainable Fisheries Strategy 2017-2027*. Fisheries reform in Queensland is needed and Council congratulates the State in its efforts to move towards the ecologically and economically sustainable management of our fisheries resource. There are many positives in the proposed fisheries reforms in this Discussion Paper and we see them as a strong foundation for implementation of the *Sustainable Fisheries Strategy 2017-2027*.

Noosa Council has engaged with the State at multiple stages during the fisheries reform process, providing a detailed submission to *Queensland Fisheries Management Review* in 2014 and the subsequent *Green Paper* in 2016.

In order to provide an evidence-based platform for future decision-making around local fisheries, Council engaged a consultant in early 2019 to prepare a *Noosa Fishing Futures* options for Sustainable Fisheries Management of the Noosa River, Estuary and Beaches paper with the objective of:

- Researching and analysing all available fisheries data for the Noosa River.
- Identifying and engaging with local stakeholders including commercial fishers to verify and complement data with local information.
- Exploring different management options available to Council, including a initial cost-benefit analysis of these, and pathways to implementation.

This work has greatly increased our knowledge of our local fishing industry, including its ecological impact, economic importance and the role in local tourism. These results have informed this submission. A copy of Council's *Noosa Fishing Futures* options paper is attached for reference.

This submission has two components:

- Part one addresses the issues in the Discussion Paper relevant to the Noosa region. This includes issues identified in recent stakeholder engagement with local commercial fishers and community stakeholders with a high level of interest in the permitted activities in the Noosa waterways and beaches.
- Part two includes issues outside of the scope of the current proposed suite of regulatory reforms. These issues were identified during stakeholder engagement for the *Noosa Fishing Futures* report. Noosa Council continues to demonstrate a high level of interest in the permitted activities in the Noosa waterways and considers these issues, if implemented, will complement the Queensland Government's *Sustainable Fisheries Strategy*. As such, Council requests the Queensland Government and the (fishery-specific) Inshore Working Group, consider the suite of Council's proposed reforms.

Noosa Council is keen to continue to engage on fisheries reform in the Noosa area at any available opportunity, and welcomes the chance to further discuss any of the proposals listed in this submission.

## **Part 1: Comments on proposed reforms to the *Fisheries Regulation 2008*, as outlined in the Discussion Paper**

### **1.1 Proposed regulatory changes supported by Noosa Council**

Noosa Council strongly supports the following provisions contained within the Discussion Paper. For proposals not identified in this submission, Noosa Council does not have a position on them, and does not currently consider them to have a significant impact on the fisheries within the Noosa area.

*2. Requirement for a Commercial Fishing Boat Licence and relevant fishery symbol to hold new individual transferable quota units.*

- NSC believes that this will allow the prioritisation of quota to fishers that have a catch history in the Noosa River, and therefore provide benefit to local fishermen and the local community.

*3. Requirement for bycatch reduction devices to be used in line with best practice.*

*4. Allow issue of a general fisheries permit to trial new and alternative gear types to support innovation within the commercial fishing industry.*

*11. Prohibit the use of net apparatus to take crab.*

- There is currently strong anecdotal evidence that crabs are regular bycatch while commercial net fishing in the Noosa River and lakes. This provision should encourage the return of these crabs to the ecosystem. It is important that crabs are returned in a viable state.

*20. Allocate individual transferable quota (ITQ) for tier one inshore species, barramundi, king threadfin, grey mackerel, school mackerel and whiting in the East Coast Inshore Fishery.*

- Local stakeholders have indicated significant concern over the sustainability of whiting in the Noosa River estuary, and it is completely appropriate that it is managed on an ITQ basis.

*24. Permit the commercial use of lift nets under the N11 symbol.*

- Council considers this a more sustainable method

*26. Amend the maximum mesh size under the N1 and N2 fishery symbols.*

- Council considers this a positive step in ensuring fishers have less impact on species of conservation interest and their ability to release or untangle species from nets.

*27. Implement a maximum ply rating for use in nearshore and offshore (N1, N2 and N4) net fisheries.*

- Council considers this a positive step to help mitigate impact of larger marine animals being caught in nets by allowing them to break under significant strain.

*56. Standardise reporting requirements.*

- Council considers this an essential part of the reform process and congratulates the State on making these changes.

## **1.2 Proposed regulatory changes supported by Noosa Council but with further recommendations.**

The following proposed regulatory changes are supported, however Noosa Council considers there are further changes that would result in better management outcomes for the fisheries.

*19. Divide the existing East Coast Inshore Fishery into six management areas and establish a separate total allowable commercial catch (TACC) based on sustainable catch limits for each management area (MA 1–6).*

- NSC strongly believes that fisheries are best managed at a local level and the move to divide the fishery into six management areas is a step in the right direction. Given the huge size of the fishery and different pressures encountered, this division should allow better management of individual fisheries through a TACC.
- Council believes that six areas across the State is not sufficient for effective local management. Noosa would be keen to engage with the State with a view to trialling a local management model to the Noosa area. With a willing local Council and a willing community, we believe the Noosa River could be a local management model that could be expanded to other more complex areas of the State fishery.

*21. Establish total allowable commercial catch (TACC) limits for tier two inshore species in the East Coast Inshore Fishery.*

NSC believe this is a step in the right direction towards a more sustainable management regime for several key commercial in our area, especially mullet. This combined with vessel monitoring systems and new reporting requirements (Proposal 56) will ensure vastly improved management of these species.

However, we believe that mullet would be more appropriately managed by an ITQ process. This will allow a more flexible approach to localised population pressures for mullet and give more certainty to local fishermen with a recorded catch history. Council looks forward to providing input into the Harvest Strategy for the mullet fishery in the near future. Further comment is provided on the possibility of an ITQ for mullet in Part 2 of this submission.

*25. Amend the use of river set nets under the N2 fishery symbol.*

The proposal to amend the netting requirements in the N2 fishery by reducing the number of nets and an overall reduction in length of net in the water is supported by Council. However, the Queensland Government's proposed reforms does not include any changes to netting requirements for the N1 fishery, specifically to reduce the length of net in the water in Lakes Cootharaba, Cooroibah and Weyba.

The current Fisheries Regulation (s474) allows for a mesh net to be used in Lake Cootharaba, Cooroibah and Weyba up to 1500m in length (s474). The proposed netting changes for the N2 fishery symbol should be extended to the N1 fishery or specifically for the Noosa River and Lakes, consistent with proposal 25, and the total head rope length that can be used in nearshore waters and rivers and creeks is reduced to 600 m overall. This issue is elaborated on further in Part 2 of this submission.

*32. Amend certain species in-possession limits*

Noosa Council has received regular complaints about the level of take of pipi's on the ocean beaches north of the Noosa River. While a reduction in the in-possession limit from 50 to 30 is an improvement, it does not sufficiently address the issue of over-fishing of this species in the Noosa area. When the issue is raised with Council, it is in regard to large groups or families entering the area to harvest pipi's,

resulting in the possession limit to be multiplied out many times, and leading to an outcome of hundreds of pipi's being taken.

The most effective way to combat this would be to have no take off the beach, similar to what is in place in New South Wales, where pipi's may not be removed more than 50m from the high tide mark. This would mean that any pipi's collected on the beach will be used on the beach. It could also address potential health concerns with regard to the consumption of pipi's, as presumably shellfish taken off the beach are not being used for bait, but human consumption.

A secondary option would be to adopt the same principle as another proposal. In Proposal 37 there is a *recreational boat limit* of two times the individual in-possession limit for certain fish species of concern. This nicely negates the ability for large groups on one boat to undertake excessive harvest. On Noosa North Shore, a *recreational car limit* of twice the individual in-possession limit could be implemented, which would have a similar effect of restricting excessive take.

## **Part 2: Further suggested proposals outside the scope of the Discussion Paper, identified in community consultation during the development of the *Noosa Fishing Futures* paper.**

### **2.1 Prohibit the use of 1500m nets in Lakes Cootharaba, Cooroibah and Weyba.**

This issue was touched on our response to Proposal 25 in Part 1 of this submission. The *Fisheries Regulations 2008* provides for the holder of an N1 symbol to use up to 1500 metres of net in Lakes Cootharaba, Cooroibah and Weyba. There are no other provisions in the Queensland Fisheries Regulations that allow for the use of this length of net. While the regulation states that a fisher must shoot and haul the net (cannot soak the net), discussions with some stakeholders suggest there are current practices applied that are outside of the rules.

Local commercial fishers have confirmed there are several N1 fishers currently using this length of net in the lakes, including a commercial fisher who has relocated to Noosa from another region of Queensland. Under current fisheries management arrangements anyone with an N1 can access the lakes for commercial fishing and there are currently 86 N1 symbol holders with access to the fishery. There are a variety of views put forward by stakeholders, including commercial net fishers, regarding possible changes to the management arrangements for the lakes including:

- reduce the net length to 600m
- restrict the number of fishers on the lakes and rivers to the few locals with ten or more years of recorded catch history in the lakes
- prohibit the use of all nets in the Lakes.

Noosa Council supports a reduction in total net length from 1500m to 600m, consistent with the proposed net changes for the N2 fishery symbol, however in the long-term would like to explore some net-free zones in parts of the Noosa River. The environmental improvements to the lakes are likely to have a community-wide benefit. Given the extremely shallow nature of the lakes the use of nets provides a high degree of benthic disturbance than in other locations, so reduced netting effort would have broader environmental impacts.

### **2.2 Introduce a weekend closure for the Ocean Beach net fishery**

A regulated closure in waterways south of Double Island Point from 6pm on Friday to 6pm on Sunday currently applies to Weyba Creek, the Noosa River and Noosa's main beach, Lake Como, Kin Kin Creek, the upper Noosa River and Lake Cootharaba. The closure applies to the river, estuary, lakes, and Noosa main beach, not Noosa North Shore, and refers to netting during this period (every weekend) however commercial fishers are permitted to crab and line fish during this period.

Feedback from some stakeholders and commercial fishers notes this regulation should also be applied to the Ocean Beach Fishery north of the mouth of the Noosa River in Laguna Bay. The basis for these views is principally to address conflict issues between recreational and commercial fishers, and tourists and commercial fishers, particularly when greater numbers of tourists are visiting during weekends and peak tourist periods.

The potential benefits of introducing a regulated closure on weekends to the ocean beach net fishery, according to some commercial N1 net fishers and other key stakeholders, would be to further reduce conflict in the fishery that has historically been a source of concern for commercial fishers and the community. It was noted that the only reason that some of the conflict had appeared to lessen was due to some personnel changes among commercial fishers. This suggests that the fragile nature of the

lull in the conflict could return at any time unless positive steps are taken to address the cause of the issues.

A further option is to extend to closure to Queensland school holiday periods. The Noosa North Shore is a very popular destination during school holidays and the presence of commercial net fishers is not compatible with recreational use and enjoyment of this area during high-use periods.

The tangible benefits are less potential conflict for the aforementioned groups, but importantly, this was raised by numerous stakeholders during the consultation phase of Council's *Noosa Fishing Futures* paper as being one of the major issues and sources of conflict between commercial fishers and the community.

### **2.3 Move the fishing closure line from Munna Point**

Feedback from some commercial fishers is to move the closure line at Munna Point back up the river. This suggestion is to prohibit the use of regulated nets in an area that is visible to locals and tourists and further reduce the risk of conflict and interactions between commercial and recreational fishers and tourists. The current closure applies to north of a line joining the following points:

- from FB (Fishing Boat) sign on Lake Cootharaba's north western shore;
- to FB sign on the southern tip of the peninsula on the eastern side of Shark bay (which is part of the Lake);
- to the FB sign at the southern tip of Kinaba Island;
- to an FB sign on Lake Cootharaba's eastern shore.

Whilst there were not specific incidents of conflict cited by stakeholders during consultation for the *Noosa Fishing Futures* paper, this issue was raised by commercial and recreational fishers to further improve the image of the commercial sector in the community. A benefit of moving the closure line further up river would be to remove commercial net fishing from a busy section of the Noosa River and remove any potential for conflict and out of sight from community views.

There is a closure in place during the weekends however during peak tourist season there is no prohibition on commercial netting in this busy section of the river. The issue is likely to receive support from the local recreational fishing body, the Queensland Recreational Fishing Network, along with support from conservation groups. Council suggests the closure line is moved to the start of Lake Cooroibah.

### **2.4 Allocate and Individual Transferable Quota (ITQ) to mullet**

Noosa Council supports mullet being managed under an ITQ harvest strategy. Some commercial fishers consulted during the stakeholder engagement considered an ITQ would benefit them significantly more than management via a TACC.

The potential economic benefits of an ITQ management regime is that it provides the freedom to fish at an optimum time to maximise economic yield to the commercial fisher. This is less likely to occur under a TACC as the imperative to fish will be driven by the need to 'not miss out' on a catch knowing that once the trigger limit of 80% is reached, the prospect of the fishery being closed is real. An ITQ management regime allocates quota to individual fishers, which provides a type of security of ownership that is not present under a TACC.

At the moment, the imperative to fish is largely driven by the two major seafood processors who are active in the Noosa North Shore (NNS) during the months of June and July. They employ crews

stationed on the Noosa North Shore for the peak catch period and all efforts to fish during this period when the spawning mullet are present and this drives the behaviour, which in turn drives the behaviour of the local K8 fishers. Advice from local commercial fishers is they receive between \$2 and \$4/kg for the whole mullet. This is known as the beach price and it influences the price for the entire mullet fishery, including the fishery in the river and lakes.

Additional benefits to an ITQ management regime is that changed patterns of behaviour will reduce the likelihood of conflict between stakeholders. Feedback from local stakeholders and commercial fishers suggest the behaviour of some of the crews on the beach has been less than what the community would expect as well as at times conflict between the crews over priority of shot issues. The community would welcome improved rules and management arrangements that address this issue.

Noosa Council's submission to the Queensland Fisheries Management Review in 2014 first noted the conflict issues in the Ocean Beach Net Fishery targeting mullet. The Noosa North Shore (NNS) is part of the Cooloola Recreation Area and is easily accessed by locals and visitors for recreational purposes by day trippers, beach campers and recreational fishers.

Appropriate harvest strategy management arrangements for the mullet fishery that are based on the principles of science and sustainability of the stock should be the determinant in identifying the most appropriate management for the fishery. An ITQ that is set at realistic levels would be supported by local N1 fishers however it may be opposed by some processors who may seek to maintain the status quo. Council looks forward to the opportunity to have input into the upcoming Harvest Strategies.

## **2.5 Develop a Code of Practice for the mullet fishery**

Council supports the development of a Code of Practice for the mullet fishery in Region 6 (between the NSW/QLD border and just north of Bundaberg) as part of the development of a harvest strategy, which seeks to address longer-term management issues for this key species.

Commercial fishers have brought conflict issues to the attention of Fisheries Queensland over time that have occurred between commercial fishers on Noosa North Shore during the peak spawning season for mullet in the K8 season. In particular, an issue regarding the rules around the application/interpretation of the Priority to Fish regulations or 'who has priority of shot' once crews are on the beach. To date there has been no change to the regulations and the issues have largely been left to fishers to resolve among themselves. This has at times resulted in significant conflict between parties and has been witnessed by members of the community.

Fisheries Queensland appear to have been reluctant to get involved other than simply refer issues on to the Queensland Boating and Fisheries Patrol. This approach has not pleased local commercial fishers who seek to have the rules scrutinised in an effort to remove any possible ambiguities that can be exploited by individuals.

## **2.6 Minimum quote to be held for all tier one species**

Proposal 7 states *Allocate individual transferable quota (ITQ) for mud crab and blue swimmer crab for the Queensland Commercial Crab Fishery (C1)*. Council supports the eligibility requirement that to be able to fish a minimum holding of ITQ units or equivalent to 1.2 tonnes must be held for mud crab and blue swimmer crab. However we believe a minimum holding of ITQ units should also be an eligibility requirement extended to all tier one species in the East Coast Inshore Finfish Fishery (ECIFF). Without this, it seems inconsistent with the reasons to introduce an ITQ harvest strategy – sustainable

management of the fishery. Some of the risks that are present if there is no requirement that a minimum quota holding is applied in the net fishery are:

- Without a requirement to hold a minimum quota for the primary target species, fishers from other regions could move in to a region to target species not quota managed. This risks regionalised effort increases and weakens the regionalisation of the fishery.
- A requirement to hold a minimum amount of quota to fish ensures that when quota managed species are caught, the fisher has quota that permits the fish to be retained, rather than discarded. Without this requirement, large numbers of fishers could fish for other species, but catch and then discard the co-caught quota managed species. A large amount of discarding, which could be expected without a requirement to hold a minimum quota, seriously undermines the quota regime and the sustainability of the species. As the level of discarding is not currently known in the ECIF, quantifying discarding (through electronic monitoring and reporting of discards) is a necessity to allow for discards to be included in stock assessments and TACC setting.
- Although it is unlikely that all net fishers will be allocated quota, a requirement to hold a minimum quota will reduce the number of fishing businesses able to operate within a region, which will increase the viability of the remaining businesses.
- Even a minimum quota holding at the start of the fishing period or when purchasing quota would suffice, and then a smaller minimum quota holding which is required to fish when a TACC is 80% fished.