



PARLIAMENT OF TASMANIA

House of Assembly Standing Committee on Government
Administration B

Short Inquiry into the closure of the sand flathead fishery in south-east Tasmania

MEMBERS OF THE COMMITTEE

Ms Brown (Chair)
Mr Di Falco (as proxy for Mr George)
Mr Fairs (Deputy Chair)
Ms Finlay (as proxy for Ms Haddad)
Mr Garland (as proxy for Ms Johnston)
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CONTENTS

Contents	3
Chair’s Foreword.....	4
Findings	6
Recommendations.....	9
1. Background and inquiry process	11
Background	11
Appointment and terms of reference	13
Conduct of the Inquiry.....	14
Structure of this Report	14
2. Information used to inform the decision to close the fishery	15
3. Environmental, social and economic impacts of the closure	52
4. Consultation and consultative processes.....	62
5. Advantages and disadvantages of alternative fishery management options....	73
6. The use of the <i>Living Marine Resources Management Act 1995</i> and <i>Fisheries</i> <i>(Scalefish) Rules 2015</i> to authorise the closure	81
7. What is required to inform a decision to reopen, or not to reopen, the sand flathead fishery	88
8. Any other matters incidental thereto.....	96
Harvest strategy.....	96
Sustainable Marine Research Collaboration Agreement (SMRCA) funding	100
Representation of recreational fishers.....	104
Appendices.....	107
Appendix A – List of submissions	107
Appendix B – Lists of Witnesses	108
Appendix C – Minutes of the Committee	109
Appendix D – Glossary of terms and acronyms	121
Appendix E – Transcripts of Evidence	123

CHAIR'S FOREWORD

On behalf of the House of Assembly Standing Committee on Government Administration B, I am pleased to present this report.

In Tasmania, recreational fishing is a significant part of life for many. On 4 February 2026, when the Honourable Gavin Pearce MP, Minister for Primary Industries and Water, announced the Tasmanian Government's policy position to close the sand flathead recreational fishing zone in south-eastern waters and require all species of flathead to be landed whole statewide from 1 March 2026, many within the community expressed confusion and concern about both the decision-making process and the measures ultimately implemented. This concern was heightened by differences between the Government's initial public announcement and the arrangements that were subsequently gazetted and what was introduced.

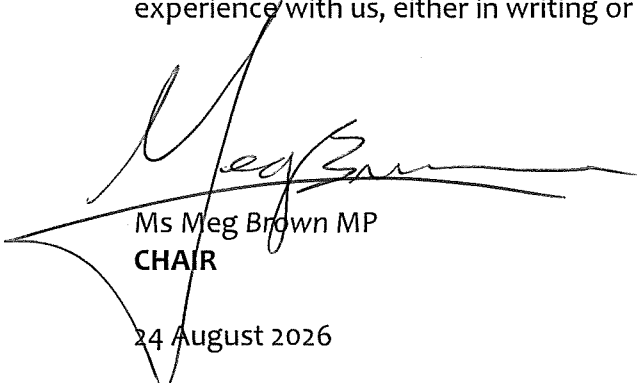
Drawing on the evidence received by the Committee, it is clear that the deterioration of the sand flathead fishery has had far-reaching environmental, social and economic impacts across Tasmania. The Inquiry also highlighted shortcomings in planning, consultation, communication and fisheries management design making processes that all contributed to community concern and reduced confidence in the Government's approach.

The Committee has made a number of findings and recommendations aimed at strengthening the management of Tasmania's fisheries, improving transparency and community confidence in decision-making, and ensuring that future management actions are supported by clear evidence, effective consultation and robust strategies. The Committee encourages the Tasmanian Government to carefully consider and implement these recommendations.

On behalf of the Committee, I would like to extend our sincere thanks to Committee Secretary, Michael Barnier, for his support of the Committee and its important work.

I would like to acknowledge and thank the Members of the Committee: Mr Carlo Di Falco MP, Mr Rob Fairs MP, Ms Janie Finlay MP, Mr Craig Garland MP, Ms Jane Howlett MP and Ms Cecily Rosol MP. I acknowledge the contribution of Mr Roger Jaensch MP who was on the Committee for the majority of work until reinstated as a Minister within the Rockliff Government before the report writing process.

On behalf of the Committee, I would like to thank all those who took the time to make submissions or provide evidence to the Inquiry and for sharing their experience with us, either in writing or at our hearings.



Ms Meg Brown MP
CHAIR

24 August 2026

FINDINGS

Chapter 2 – Information used to inform the decision to close the fishery

1. The Tasmanian Government has repeatedly taken insufficient action in response to expert scientific advice in its management of the sand flathead fishery over more than 10 years.
2. The Tasmanian Government's lack of appropriate action on the sand flathead fishery has contributed to the ongoing deterioration of the fishery.
3. The current stock assessment framework for the sand flathead fishery is insufficient, and wild fisheries management decisions could be improved with more comprehensive data collection.
4. Recreational Fishing Surveys need to be undertaken more frequently than five-yearly.
5. There is consensus that the sand flathead fishery in south-east Tasmania is under pressure.
6. The Tasmanian Government employed the precautionary principle in its decision to close the sand flathead fishery in south-east Tasmania.
7. The Tasmania Government's decision to close the sand flathead fishery in south-east Tasmania was influenced by Tasmania Police compliance data.
8. Data sets for compliance monitoring of the sand flathead fishery are small and it is unclear how accurately they represent compliance across the fishery.
9. Compliance data for the sand flathead fishery could be improved by increasing resources to Tasmania Police.
10. Landing flathead whole or with frames intact improves the ability to undertake compliance monitoring.
11. Lack of education and communication of fishery health and management rules contributes to sand flathead fishery non-compliance.
12. A Fisheries Compliance Committee previously existed as a forum for the Department of Natural Resources and Environment Tasmania, Tasmania Police and commercial and recreational peak bodies to discuss compliance matters.

Chapter 3 – Environmental, social, and economic impacts of the closure

13. Deterioration of the sand flathead fishery has caused negative environmental, social, and economic impacts.
14. The closure of the sand flathead fishery in south-east Tasmania has positive environmental benefits but it also has negative social and economic impacts.

15. The Tasmanian Government did not model the economic impact of closing the sand flathead fishery in south-east Tasmania and has not undertaken any assessment to date.
16. The promotion of mixed bag fishing encourages different fishing choices, with the aim of mitigating the loss of amenity in the sand flathead fishery as a result of the rule changes.

Chapter 4 – Consultation and consultative processes

17. The Tasmanian Government engaged in general and ongoing consultation about Tasmanian fisheries, including the sand flathead fishery.
18. There was a lack of targeted consultation by the Tasmanian Government with the community and stakeholders between receipt of the 2025 Stock Assessment Report and the announcement of the decision to close the sand flathead fishery in south-east Tasmania.
19. The lack of consultation by the Tasmanian Government with the community and stakeholders of a potential closure of the sand flathead fishery in south-east Tasmania raised concerns about the decision-making process.

Chapter 5 – Advantages and disadvantages of alternative fishery management options

20. Fishery closures are reflective of a failure in long-term planning and management.
21. No single fishery management tool is universally optimal.
22. Lack of investment and long-term planning limit the success of fisheries management decisions, including the sand flathead fishery closure in south-east Tasmania.

Chapter 6 – The use of the Living Marine Resources Management Act 1995 and Fisheries (Scalefish) Rules 2015 to authorise closure

23. The decision-making processes undertaken by the Minister for Primary Industries and Water and the Department of Natural Resources and Environment Tasmania created confusion for stakeholders and the community.
24. There was inconsistency in the public details provided in the announcement of the sand flathead fishery closure, the notice in the Tasmanian Government Gazette, and the final closure decision, which led to frustration and confusion for stakeholders and the community.
25. The public notice in the Tasmanian Government Gazette on 11 February 2026, pursuant to section 50 of the *Living Marine Resource Management Act 1995* (Tas), led to concern in the community about a new emergency in the sand flathead fishery in south-east Tasmania.

26. While there is no statutory obligation on the Department of Natural Resources and Environment Tasmania to consult when acting in accordance with rule 11 of the *Fisheries (Scalefish) Rules 2015*, not doing so has increased concern and decreased trust in fishery management decision-making processes.
27. The Department of Natural Resources and Environment Tasmania does not publish reasons for fishery management decisions, and not doing so has increased concerns and decreased trust in fishery management decision-making processes.

Chapter 7 – What is required to inform a decision to reopen, or not to reopen, the sand flathead fishery

28. The Tasmanian Government has determined that the reopening of the sand flathead fishery in south-east Tasmania is subject to ongoing evaluation of the recovery of the fishery based on scientific evidence and advice.
29. There are currently no publicly available criteria for the reopening of the sand flathead fishery in south-east Tasmania.
30. There is currently no integrated Management Strategy Evaluation framework for the sand flathead fishery.

Chapter 8 – Any other matters incidental thereto

Harvest Strategy

31. Harvest strategies provide clarity for fisheries management and are essential to achieving sustainability objectives.
32. Tasmania has been slow to develop harvest strategies for scalefish fisheries and lags behind other Australian jurisdictions where they are routinely applied.
33. There is currently no sand flathead harvest strategy in Tasmania despite the urgent need for one.
34. The lack of a harvest strategy for sand flathead in Tasmania has contributed to poor fishery management.
35. The absence of a harvest strategy for sand flathead in Tasmania is the result of insufficient funding.

Sustainable Marine Research Collaboration Agreement (SMRCA) funding

36. Sustainable Marine Research Collaboration Agreement funding has not sufficiently increased over many years, and no indexation has been applied.

Representation of recreational fishers

37. There are approximately 130,000 recreational fishers and many associated businesses in Tasmania, who have differing views on the management of recreational fisheries.

RECOMMENDATIONS

Chapter 2 – Information used to inform the decision to close the fishery

1. The Tasmanian Government take more immediate action when presented with expert advice on Tasmanian fisheries.
2. The Tasmanian Government funds more comprehensive stock assessment of, and data collection in, the sand flathead fishery.
3. The Tasmanian Government undertake annual Recreational Fishing Surveys.
4. The Tasmanian Government facilitate citizen science initiatives to increase recreational fisher engagement in monitoring of the sand flathead fishery.
5. The Tasmanian Government increase funding to Tasmania Police to improve fishing compliance monitoring.
6. The Tasmanian Government reinstate the Fisheries Compliance Committee and include the Department of Natural Resources and Environment Tasmania, Tasmania Police, and commercial and recreational peak bodies.

Chapter 3 – Environmental, social, and economic impacts of the closure

7. The Tasmanian Government continue to promote mixed bag fishing and encourage the targeting of underutilised species.
8. The Tasmanian Government actively monitor and manage the impacts of the transfer of fishing pressure on to other depleted and depleting species, such as calamari, jackass morwong, and bastard trumpeter.
9. The Tasmanian Government undertake social and economic impact modelling or assessments on all future fishery closure decisions.

Chapter 4 – Consultation and consultative processes

10. The Tasmanian Government ensure that the Department of Natural Resources and Environment Tasmania undertake genuine and targeted consultation with the community and stakeholders prior to announcing major changes to fisheries management, particularly the closure of a fishery.

Chapter 6 – The use of the Living Marine Resources Management Act 1995 and Fisheries (Scalefish) Rules 2015 to authorise closure

11. The Department of Natural Resources and Environment Tasmania publish reasons for fishery management decisions.
12. The Department of Natural Resources and Environment Tasmania go beyond legislative obligations regarding consultation and communication to rebuild trust in the community and with stakeholders.

Chapter 7 – What is required to inform a decision to reopen, or not to reopen, the sand flathead fishery

13. The Tasmanian Government prioritise the development and publication of the criteria for reopening the sand flathead fishery in south-east Tasmania as a matter of priority.
14. The Tasmanian Government funds the development and implementation of an integrated Management Strategy Evaluation framework for the sand flathead fishery.
15. The Tasmanian Government make the Sand Flathead Rebuilding Plan readily available to the public, when finalised.
16. The Tasmanian Government provide regular accurate and transparent updates to the community and stakeholders about the status of the sand flathead fishery in south-east Tasmania.
17. The Tasmanian Government clearly consult on and communicate about the reopening process for the sand flathead fishery in south-east Tasmania.

Chapter 8 – Any other matters incidental thereto

Harvest Strategy

18. The Tasmanian Government prioritise the funding, development, and implementation of a dedicated harvest strategy for sand flathead.

Sustainable Marine Research Collaboration Agreement (SMRCA) funding

19. The Tasmanian Government undertake a full review of the Sustainable Marine Research Collaboration Agreement.
20. The Tasmanian Government fully fund the Sustainable Marine Research Collaboration Agreement, with indexation applied, to enable the Institute of Marine and Antarctic Studies to provide independent, science-based advice that supports the sustainable management of Tasmania's living marine resources.

1. BACKGROUND AND INQUIRY PROCESS

Background

- 1.1 On 4 February 2026, the Honourable Gavin Pearce MP, Minister for Primary Industries and Water, announced the Tasmanian Government's policy position to close the sand flathead recreational fishing zone in south-eastern waters from 1 March 2026.¹ The Minister also announced that all species of flathead must be landed whole statewide from 1 March 2026.²
- 1.2 On 25 February 2026, the General Manager of Marine Resources of the Department of Natural Resources and Environment Tasmania (NRE Tas) published a delegated decision to close the sand flathead fishery under rule 11 of the *Fisheries (Scalefish) Rules 2015*, which is subordinate legislation to the *Living Marine Resources Management Act 1995* (Tas) (LMRMA).
- 1.3 The closure stipulates that the south-eastern zone is all water between a north-south line at Whale Head (146°52'15") and a north-south line at Cape Pillar (148°00'41"),³ including the entirety of the previous D'Entrecasteaux Channel, Derwent River, Frederick Henry and Norfolk Bays Zone. The northern boundary of the south-eastern zone is the southern end of the Dunalley Canal.⁴
- 1.4 The closure also states that bag limit and possession limit within this zone is zero. The announced closure includes provisions mandating the possession of the frames of any species (head and tail attached) of flathead statewide, even if filleted at sea.⁵
- 1.5 The Tasmanian Government also announced a stock enhancement project for sand flathead in the D'Entrecasteaux Channel as a part of the closure.⁶

¹ Hon. Gavin Pearce MP, Minister for Primary Industries and Water, Transcript of Evidence, 9 June 2025, p. 34.

² Hon. Gavin Pearce MP, Minister for Primary Industries and Water, Transcript of Evidence, 9 June 2025, p. 34.

³ *Notice of the dates of the closed season for a part of the scalefish fishery for sand flathead*, Dr. David Midson – General Manager (Marine Resources), Department of Natural Resources and Environment Tasmania. Accessed at: <https://fishing.tas.gov.au/Documents/Att%201%20-%20Closure%20Notice%20for%20sand%20flathead%20fishery%20-%20south%20eastern%20zone.pdf>

⁴ Fishing Tasmania website, *New rules and research to rebuild Tasmania's sand flathead fishery*. Accessed at: <https://fishing.tas.gov.au/community/flathead-for-the-future/new-rules-and-research-to-rebuild-tasmanias-sand-flathead-fishery>.

⁵ Fishing Tasmania website, *New rules and research to rebuild Tasmania's sand flathead fishery*. Accessed at: <https://fishing.tas.gov.au/community/flathead-for-the-future/new-rules-and-research-to-rebuild-tasmanias-sand-flathead-fishery>.

⁶ Hon. Gavin Pearce MP, Minister for Primary Industries and Water, Transcript of Evidence, 9 June 2025, p. 42.

- 1.6 The Government stated the reason for the closure was sand flathead stock had depleted below critical levels and its decision was made in response to the science.⁷
- 1.7 The decision was informed by the Institute of Marine and Antarctic Studies (IMAS) *Southern Sand Flathead Assessment 2025* (2025 Assessment Report).⁸
- 1.8 The 2025 Assessment Report stated that the stock was depleted and “at risk of not recovering”.⁹ It also stated that “further management measures will be needed to support a faster recovery” and “[w]ithout strong action, Sand Flathead may not recover or could take an unacceptably long time to recover.”¹⁰
- 1.9 This followed the IMAS *Southern Sand Flathead Assessment 2023* which led the Tasmanian Government to implement a number of reforms to reduce fishing effort for sand flathead, including a closure of the fishery for commercial fishing, a slot limit of 35 to 40 centimetres for all sand flathead caught in Tasmanian waters, excluding King and Flinders Islands, and bag and possession limits.¹¹
- 1.10 These bag limits included two for the D’Entrecasteaux Channel, Derwent River, Frederick Henry and Norfolk Bays, with a possession limit of 10. A bag limit of five and a possession limit of 10 for the Eastern Zone and a bag limit of 10 and possession limit of 10 for the Northern/Western Zone and King and Flinders Island.¹²
- 1.11 NRE Tas manages marine resources in Tasmania, including wild fisheries. IMAS provides independent scientific advice to NRE Tas and the Minister to inform this management.
- 1.12 IMAS, as part of the University of Tasmania, is a partner with NRE Tas in the Sustainable Marine Research Collaboration Agreement (SMRCA). The SMRCA is the mechanism through which funding is provided to IMAS so that advice, research and stock assessments can be undertaken and provided to Government.¹³

⁷ Sandy Powell, *Ban on sand flathead fishing in south-eastern Tasmania amid severe decline in numbers*, ABC News, 4 February 2026. Accessed at: <https://www.abc.net.au/news/2026-02-04/fishing-ban-for-southern-tasmania-on-depleted-sand-flathead/106302974>.

⁸ Submission No. 8, Institute of Marine and Antarctic Studies, p. 8, internal reference N. Krueck et al., *Southern Sand Flathead Assessment 2025*, IMAS, 2025.

⁹ Submission No. 8, Institute of Marine and Antarctic Studies, p. 8, internal reference N. Krueck et al., *Southern Sand Flathead Assessment 2025*, IMAS, 2025, p. 4.

¹⁰ Submission No. 8, Institute of Marine and Antarctic Studies, p. 8, internal reference N. Krueck et al., *Southern Sand Flathead Assessment 2025*, IMAS, 2025, p. 4.

¹¹ Submission No. 8, Institute of Marine and Antarctic Studies, p. 8, internal reference N. Krueck et al., *Southern Sand Flathead Assessment 2025*, IMAS, 2025, p. 6.

¹² Submission No. 8, Institute of Marine and Antarctic Studies, p. 8, internal reference N. Krueck et al., *Southern Sand Flathead Assessment 2025*, IMAS, 2025, p. 6.

¹³ Submission No. 8, Institute of Marine and Antarctic Studies, p. 1.

- 1.13 Following the announcement to close the sand flathead fishery in the south-east, questions were raised about the need for the closure by TARFish,¹⁴ the certified peak body for recreational fishers under the LMRMA.

Appointment and terms of reference

- 1.14 On 6 March 2026, the House of Assembly Standing Committee on Government Administration B (the Committee) resolved to undertake an own motion inquiry into the closure of the sand flathead fishery in south-east Tasmania on 1 March 2026.

- 1.15 The Committee resolved to inquire into and report upon the following Terms of Reference: -

- (1) Information used to inform the decision to close the fishery, including, but not limited to, interpretation of the stock assessment, research, restocking, and compliance information;*
- (2) The environmental, social and economic impacts considered in determining whether to close, or not to close, the fishery;*
- (3) Consultation undertaken and consultative processes followed to inform the closure;*
- (4) The advantages and disadvantages of alternative fishery management options;*
- (5) The use of the Living Marine Resources Management Act 1995 and Fisheries (Scalefish) Rules 2015 to authorise the closure;*
- (6) The evidence and processes required to inform a decision to reopen, or not to reopen, this fishery; and*
- (7) Any other matters incidental thereto.*

- 1.16 The Committee was aware of the process NRE Tas was undertaking to remake the *Fisheries (Scalefish) Rules 2015*, which expire on 31 October 2026, and therefore resolved to conduct a Short Inquiry process to fit within this timeframe.

- 1.17 The Committee's membership at the first meeting of the Short Inquiry on 24 March 2026 was: Ms Meg Brown MP (Chair), Mr Rob Fairs MP (Deputy Chair), Mr Peter George MP, Ms Janie Finlay MP (as proxy for Ms Ella Haddad MP), Mr Roger Jaensch MP, Mr Craig Garland MP (as a proxy for Ms Kristie Johnston MP), and Ms Cecily Rosol MP.

- 1.18 On 5 June 2026, Mr George MP provided written notice to the Chair that Mr Carlo Di Falco MP would be his proxy for the remainder of the Short Inquiry.

- 1.19 On 11 August 2026, Ms Jane Howlett MP was appointed to the Committee in the place of Mr Jaensch MP.

¹⁴ TARFish website, *TARFish submission to sand flathead ban*, 20 February 2026. Accessed at: <https://www.tarfish.org/news/sandiesubmission>.

Conduct of the Inquiry

- 1.20 The Committee resolved to invite specific persons and organisations to make submissions and give evidence in relation to the Terms of Reference.
- 1.21 The Committee received ten submissions and held two public hearings at Parliament House, Hobart. The Committee heard from a total of 15 witnesses. A list of submissions can be found in Appendix A and lists of witnesses can be found in Appendix B.
- 1.22 The minutes of the Committee are attached as Appendix C, and a Glossary of relevant terms can be found in Appendix D. The Transcripts of Evidence are attached as Appendix E.

Structure of this Report

- 1.23 This report consists of the following chapters reflecting the Terms of Reference:
- Chapter 1 provides a brief background to, and overview of, the Short Inquiry.
 - Chapter 2 considers the information used to inform the Tasmanian Government's decision to close the sand flathead fishery in south-east Tasmania.
 - Chapter 3 presents evidence received regarding environmental, social and economic impacts considered in determining whether to close, or not to close, the fishery.
 - Chapter 4 examines the consultation undertaken and consultative processes followed to inform the closure.
 - Chapter 5 evaluates the evidence on the advantages and disadvantages of alternative fishery management options.
 - Chapter 6 considers evidence received on the use of the *Living Marine Resources Management Act 1995* and *Fisheries (Scalefish) Rules 2015* to authorise the closure.
 - Chapter 7 outlines what the Committee received on the evidence and processes required to inform a decision to reopen, or not to reopen, the sand flathead fishery in the south-east.
 - Chapter 8 contains evidence received on other relevant matters presented to the Committee, including the need for a harvest strategy for the sand flathead fishery in Tasmania, funding of the Sustainable Marine Research Collaboration Agreement (SMRCA), and the adequacy of representation of recreational fishers.

2. INFORMATION USED TO INFORM THE DECISION TO CLOSE THE FISHERY

- 2.1 This Chapter considers the information used by the Tasmanian Government, through the Minister for Primary Industries and Water, the Honourable Gavin Pearce MP, to inform the decision to close the sand flathead fishery in south-east Tasmania effective from 1 March 2026, including, but not limited to, interpretation of the stock assessment, research, restocking, and compliance information.

Evidence received

- 2.2 The information used to inform the closure of the fishery was one of the primary concerns of the Short Inquiry.
- 2.3 The Committee heard evidence from Minister Pearce and departmental representatives outlining the reasoning for the closure of the fishery. This reasoning was provided as their justification for how the information was used, as well as addressing specific issues relating to stock assessment and research, restocking and compliance information.
- 2.4 The Minister, in his submission to the Committee, stated that the decision to close the fishery was “a targeted, precautionary measure designed to support recovery of a depleted stock and protect the long-term future of Tasmania’s most important recreational fishery.”¹⁵
- 2.5 The Minister stated that the decision was informed by “the latest IMAS [Institute of Marine and Antarctic Studies] advice” which showed that “the 2023 changes did not provide the required level of certainty that the fishery will recover in a reasonable timeframe.”¹⁶
- 2.6 At the 9 June 2026 public hearing, Minister Pearce provided evidence on the information used to support the closure:

Mr PEARCE - ...The decision to close the south-east sand flathead fishery from 1 March 2026 was not taken lightly. It followed a long period of management changes and increasing investment in scientific understanding of the stock. That science, including the independent advice from the Institute for Marine and Antarctic Studies (IMAS) shows the south-east stock is critically depleted - with around only 1 per cent of fish above the legal size limit and breeding potential reduced significantly to very low levels. Now, while there is always some uncertainty in fisheries, in fishery science, the weight of that evidence was clear, and pointed to a declining stock under continued fishing pressure. The advice indicated that without stronger

¹⁵ Submission No. 7, Hon. Gavin Pearce MP, Minister for Primary Industries and Water, p. 1.

¹⁶ Submission No. 7, Hon. Gavin Pearce MP, Minister for Primary Industries and Water, p. 2.

action, recovery could not be achieved with sufficient certainty or within reasonable timeframes.¹⁷

2.7 Minister Pearce stated that the sand flathead closure in the south-east was “a necessary step to materially reducing fish pressure in the most depleted area and support recovery of the stock.”¹⁸

2.8 In its submission, the Department of Natural Resources and Environment Tasmania (NRE Tas) stated that the following information was relied upon to inform the decision to close the sand flathead fishery:

- All stock assessments for the species (published from 2014 to 2025),
- Contextual information on the fishery...
- Independent estimates of recreational fishing effort and catch for the species,
- Catch data from the commercial scalefish fishery,
- Scientific advice provided by IMAS and other qualified persons and organisations,
- Information provided by Tasmania Police regarding compliance with the rules,
- Social and economic information from the recreational fishery...
- Independent studies into the social value and factors affecting recreational fishing for the species,
- Government policies, and
- Previous engagement with stakeholders and representative groups.¹⁹

2.9 NRE Tas noted that on the basis of this information it “advised the Government that a closure of the fishery in the south-eastern zone was required.”²⁰

Information used for the decision to close the sand flathead fishery

2.10 Minister Pearce gave evidence to the Committee outlining the advice that he received on becoming Minister:

Mr PEARCE - ...upon me being appointed as the Minister, I received government briefings and one of those, obviously at the front of the list, was sand flathead. In November 2025, in fact on 13 November, IMAS published its 2025 stock assessment for sand flathead, and that went out publicly. As that went out, so too did verbal briefings from NRE Tas on the ramifications and fallout, and invited questions on that particular paper.

¹⁷ Hon. Gavin Pearce MP, Minister for Primary Industries and Water, Transcript of Evidence, 9 June 2026, p. 33.

¹⁸ Hon. Gavin Pearce MP, Minister for Primary Industries and Water, Transcript of Evidence, 9 June 2026, p. 33.

¹⁹ Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 13.

²⁰ Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 13.

*In December 2025 I received formal advice from NRE Tas...*²¹

- 2.11 The Minister provided further particulars on the advice he received and the view he formed:

Ms FINLAY - When you made the decision to close the fishery in the south-east, were you presented with options to make a decision or were you only presented with one option?

Mr PEARCE - The advice that I received was, firstly, around the science and obviously there were steps forward. Once the questions go backwards and forwards and I'm able to prosecute from our scientific experts as to their technical opinions, I can try to eliminate options that are not optimal in this particular case. In our particular case, I was left in no doubt, in absolute certainty, that the decision that I subsequently made and went out to the public with, was, indeed, the right one.²²

- 2.12 At the 9 June 2026 public hearing, Mr Jason Jacobi, Secretary of NRE Tas, gave evidence on the information considered to inform the closure decision:

Mr JACOBI - ... The evidence before us is clear: the sand flathead stock has declined over decades, is now formally classified as depleted, and in the south-east it has fallen to critically low levels. In some of the state's most important fishing areas, breeding potential has fallen to around 5 per cent of unfished levels. By comparison, strong management action is typically triggered at 20 per cent, so we are well below where we should be. That should leave you all with no doubts as to the severity of the situation, made worse in the south-east through the sheer popularity, accessibility, and sustained recreational fishing pressure on sand flathead: from boats, from the shore at night and during the day, and from people from all walks of life.²³

- 2.13 The Committee raised the 2023 sand flathead management changes with Minister Pearce, and asked whether sufficient time had passed to see any measurable impact of the changes:

Ms FINLAY - ...in 2023 when that decision was made, there was clear information associated with that decision that indicated how much time would be required to see improvements, do you think there's been enough time to measure the improvements of that decision?

Mr PEARCE - You raise an interesting question, and it's a question that I had of the Department and of IMAS, of the experts. The response that I've been given is that we have seen, and that they are convinced beyond scientific reasonable doubt, that there hasn't been an improvement. If we were going

²¹ Hon. Gavin Pearce MP, Minister for Primary Industries and Water, Transcript of Evidence, 9 June 2026, p. 34. See also the response to questions on notice from Mr. Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, dated 20 July 2026.

²² Hon. Gavin Pearce MP, Minister for Primary Industries and Water, Transcript of Evidence, 9 June 2026, p. 35.

²³ Mr. Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 9 June 2026, p. 2.

to see an improvement, then we would have seen certain indicators move and they haven't. When I've got Professor Sean Tracey, who is an eminent expert, probably in Australia, if not the world, on sand flathead almost pleading with me: 'Minister, you need to listen to this, the gravity of this', then I took notice.

Ms FINLAY - ... So can I just check that then: is it that IMAS plead with the Minister and a Department about what to do with the fishery? Did he plead with you to shut the fishery?

Mr PEARCE - No, he told me the scientific state of the fishery, and I listened to my Department on the management of that.

Ms FINLAY - I just thought it was interesting that you put on the record that he pleaded with you.²⁴

- 2.14 Mr Jacobi outlined conversations NRE Tas had with IMAS about sand flathead fishery:

Ms FINLAY - ... What were the suggested decisive actions that they presented to you?

...

Mr JACOBI - ... There were a whole range of conversations over a period of time with IMAS about the research that they conducted and particularly the 2025 stock assessment. It was clear from the 2025 stock assessment that things were not working and that the response was not as rapid as we would have liked. Despite our hopes that the compliance would work, it was clearly not working to the extent that we would like. IMAS did not come to us with any specific recommendations per se; the recommendations that were made to the Minister were made by myself and my Department. Our recommendations... considered a whole range of different policy options that we thought were available to us, and as I outlined in my appearance this morning, the policy options and the responses that were available to my Department to recommend to the Minister had become so limited because we had tried everything. The only policy responses that were genuinely left and available to us were: the landing-whole, which dealt with the compliance as best as we possibly could, and the closure, and the closure for both the simplicity of communicating what needed to happen but also to give the stock enhancement program, funded by the government through IMAS, the best possible chance of success. Again, this was only in the south-east. We have not recommended any closures anywhere else in the state because we remain hopeful that the resilience of those fish and the lesser fishing pressure across the state will enable those stocks to become sustainable.²⁵

- 2.15 In their submission to the Committee, NRE Tas stated:

²⁴ Hon. Gavin Pearce MP, Minister for Primary Industries and Water, Transcript of Evidence, 9 June 2026, p. 37.

²⁵ Hon. Gavin Pearce MP, Minister for Primary Industries and Water, and Mr. Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 9 June 2026, p. 38.

On 1 March 2023, IMAS provided scientific advice to the Department regarding the sand flathead fishery... The advice responded to a request for advice on specific management options, including closure of the fishery, reduced bag limits and size limit changes. IMAS advised that to recover the biomass to above 20% and above a target of at least 40% would require “significant reduction in fishing mortality” and that the “bag limit would need to be less than two fish per person per day, particularly in southeast Tasmania where stocks are most overfished”. The advice recommended that closure of the fishery would maximise chance of recovery in a shorter period. Immediate management actions were taken at the time based on this information.²⁶

- 2.16 Professor Sean Tracey, Interim Co-Executive Director from IMAS, gave evidence on the advice provided to NRE Tas about bag limits:

Ms FINLAY - ...I remember at the time when the 2023 decision was taken, moving from a bag limit of 20 to two was referred sometimes, I can't remember who said it, but as a practical closure, like reducing the effort from 20 to two actually had that impact. Can you talk through the materiality of reducing from 20 to two, and then the move from two to none? It seems to me that in the conversation we're talking about the reduction of fishing pressure and going to a bag limit of two has already substantially reduced the pressure...

...

Prof TRACEY - ...Moving forward, we've provided advice over the years about reductions in bag and size limits into research advisory groups and fisheries assessment committees. Often, through that consultation process, that advice has been watered down to some degree. That's the pragmatic piece of working through what is an acceptable management approach. That's often the advice that was put up to the Minister to make decisions on. That was what was in front of them, was often not necessarily the direct advice that had been provided by the science, and that's happened a couple of times.²⁷

- 2.17 Professor Tracey provided further evidence on the ‘watered down’ advice provided:

Ms FINLAY - You mentioned that previously you'd provided and used the word advice to facts around different things, and some of that had been watered down when it was practically implied. Did you provide advice around bag limits after this stock assessment, did you provide direct advice around bag limits?

Prof TRACEY - After the most recent one?

²⁶ Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 19. See also the response to question on notice from Prof. Sean Tracey, Institute of Marine and Antarctic Studies, dated 13 July 2026.

²⁷ Prof. Sean Tracey, Interim Co-Executive Director, Institute of Marine and Antarctic Studies, Transcript of Evidence, 10 June 2026, p. 10.

Ms FINLAY - Yes, for this decision. Did your advice include any recommendations about bag limits?

Prof TRACEY - I can't remember the timing of the advice that was provided, but we looked at a whole range of measures, including closures. But in terms of the rate of recovery - and I guess you don't need to be a scientist to state that if you have a closed fishery, it is your fastest path to recovery.²⁸

- 2.18 Professor Tracey gave evidence on the specific advice and options provided prior to the 2026 sand flathead closure:

Ms FINLAY - The range of options that you provided advice on, can you remind me, is that fully detailed in your submission or is the range of advice provided - is that in a different document?

Prof TRACEY - I'd have to have a look. A lot of the advice is provided - it's discursive. So, we sit there and work through scenarios, as we talked about before: '40 centimetres, is that going to provide much support for fish? Probably not, at the moment, because there's not many fish greater than 40 and so on'. So, there's not necessarily direct advice that is tabled or written down. It is generally done in a discursive manner.²⁹

- 2.19 At the 10 June 2026 public hearing, Ms Jane Gallichan, Chief Executive Officer of TARFish, questioned the decision-making process and how the relevant advice was used:

Ms GALLICHAN - ...we respect and support the great science that IMAS provides to support fisheries management; but we do not support shonky decision-making behind closed doors that deliberately excludes recreational fishers and attempts to weaponise the science and blame recreational fishers for compliance.³⁰

- 2.20 Ms Gallichan stated that fishers are bounded by the science but TARFish's interpretation of the science was in turn questioned by the Committee:

Ms ROSOL - Five thousand members of 130,000 recreational fishers in Tasmania, bounded by the science but not the science that says that the fishery is under threat and unsustainable, which is what NRE and IMAS have said?

Ms GALLICHAN - They've said that there's risk attaching to the fishery, absolutely. But Sean Tracey's evidence today suggested that both scenarios are possible to recover the fishery either via closure and do it more quickly or to recover the fishery by allowing some access and do it more slowly.³¹

²⁸ Prof. Sean Tracey, Interim Co-Executive Director, Institute of Marine and Antarctic Studies, Transcript of Evidence, 10 June 2026, IMAS, p. 10.

²⁹ Prof. Sean Tracey, Interim Co-Executive Director, Institute of Marine and Antarctic Studies, Transcript of Evidence, 10 June 2026, IMAS, p. 10.

³⁰ Ms. Jane Gallichan, Chief Executive Officer, TARFish, Transcript of Evidence, 10 June 2026, p. 34.

³¹ Ms. Jane Gallichan, Chief Executive Officer, TARFish, Transcript of Evidence, 10 June 2026, p. 39.

- 2.21 Mr John Stanfield of RecFishTas gave his perspective on the effect of watered-down management advice:

Ms FINLAY - ... we heard evidence earlier from IMAS that previous advice that they had provided to government was watered down, in terms of, you know, over the last 13 years of this government, there has been repeated advice provided, and the management decisions that have been taken have been watered-down version of that advice, and if we had actually taken early advice and implemented strong management decisions then, we wouldn't be in the situation now.

Mr STANFIELD - ... I have good faith in the advice that IMAS is providing; but for that advice to be watered down, we end up where we are now with closed fisheries.³²

- 2.22 Dr David Midson, General Manager of Marine Resources at NRE Tas, clarified the role of IMAS in providing advice to the Department:

Dr MIDSON - The IMAS stock assessment said that, without strong action, sand flathead may not recover or could take an unacceptably long time to recover. So, without the additional measures that are being put in place, their assessment is that there would be either no recovery or an unacceptably long time to recover...

Ms FINLAY - But did they recommend closure?

Dr MIDSON - It's not part of their role to recommend management measures...I'm just quoting what they said: without strong action, sand flathead may not recover or could take an unacceptably long time to recover.

Ms FINLAY - But they didn't recommend closure? It doesn't say close the fishery?

Dr MIDSON - They recommend strong management measures if we want to recover. It's the professional role of fisheries managers to determine what those management settings should be, for a whole variety of reasons, not just the scientific.³³

Stock assessment and research

- 2.23 Minister Pearce, in his submission to the Committee, stressed the importance of stock assessments in coming to a decision to close the fishery:

Stock assessments show the South-east is critically depleted, with only 1 per cent of fish above the legal-size limit and breeding potential reduced to as low as 5 per cent of an unfished population. The areas most at risk include the

³² Mr. John Stanfield, RecFishTas, Transcript of Evidence, 10 June 2026, pp. 21-22.

³³ Dr. David Midson, General Manager (Marine Resources), Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 9 June 2026, p. 11.

D'Entrecasteaux Channel, Frederick Henry Bay and Norfolk Bay, due to high fishing pressure and a large population of fishers.³⁴

- 2.24 NRE Tas outlined a history of fishery assessment reports, how they evolved into stock assessments, and how the fishery moved in the classification status from deteriorating to depleting:

Fishery assessment reports have been completed annually for the Tasmanian scalefish fishery since 1998, which coincides with the first Scalefish Management Plan.

...

Data from the fishery-independent surveys (where data is collected using targeted scientific surveys rather than catches recorded by commercial or recreational fishers) was first used in the Tasmanian Scalefish Fisheries Assessment 2014-15, published in 2016. This enabled the first stock status being assigned to sand flathead, where it was assessed as Transitional Depleting, a “deteriorating stock—biomass is not yet recruitment overfished, but fishing pressure is too high and moving the stock in the direction of becoming recruitment overfished.” (SAFS 2016). The assessment drew upon fishery independent survey results indicating a relatively low abundance of legal sized fish, particularly in south-eastern Tasmania. Fishery-independent surveys continued to inform stock assessments and the Transitional Depleting status was maintained until the 2017-18 assessment (published 2019) which assessed the stock as Depleting: “Biomass (or proxy) is not yet depleted and recruitment is not yet impaired, but fishing mortality (or proxy) is too high (overfishing is occurring) and moving the stock in the direction of becoming recruitment impaired” (SAFS 2024). Throughout this period, fishery-independent survey results continued to identify low abundance of legal-size fish and high fishing pressure. During this period, stock assessments showed some initial reductions in fishing mortality associated with 2015 rule changes. However, these were not sustained.

By 2020-21, cumulative evidence from length and age-composition data, declining Catch Per Unit Effort (from commercial catches), and fishery independent surveys indicating very low abundance of legal sized fish, led to the stock being classified as Depleted: “Biomass (or proxy) has been reduced through catch and/or non-fishing effects, such that recruitment is impaired. Current management is not adequate to recover the stock, or adequate management measures have been put in place but have not yet resulted in measurable improvements.” (SAFS 2024). A species-specific assessment has been published for sand flathead, separate to the Scalefish Fishery Assessment, since 2023, coinciding with expanded fishery-independent surveying...

The Depleted status, maintained through to 2025, reflects female spawning biomass estimated to be below critical levels, severe depletion of large, old, mature females, and fishing mortality clearly exceeding sustainable levels. This was driven overwhelmingly by long-term, high recreational fishing

³⁴ Submission No. 7, Hon. Gavin Pearce MP, Minister for Primary Industries and Water, p. 1.

pressure... Fishery independent surveys have demonstrated in some regions more than 95% of sand flathead were undersized and under certain scenarios the assessment indicated that spawning potential biomass had fallen to as little as 5% of unfished levels, indicating potential impaired capacity for natural recovery.

... the history of long-term, sustained and continued depletion of the stock in Tasmania was a key consideration of the Department in recommending more stringent management measures to the Government. Despite reductions in catch limits and increases to size limits, the stock remains depleted as of the 2025 Sand Flathead Fishery Assessment. Each of these management measures has intended to reduce fishing pressure on the stock. However, the measures implemented were not sufficient to support recovery in line with Government objectives.³⁵

- 2.25 At the 9 June 2026 public hearing, Dr Jeremy Lyle, who appeared before the Committee independently, but the Committee notes he is on the Board of TARFish,³⁶ gave evidence of how the stock assessment program was implemented:

Dr LYLE - I suppose I would say the basic information that's underpinning the current stock assessments, and has really brought this to a fore, was a program that I implemented in 2012 and basically managed and ran until I retired, which was in 2021. It then has been expanded and further works have occurred since then. So, I've got a good understanding of the background, the kind of information that's going into the assessment, what has changed, what hasn't changed. I think it's important to note that there clearly is a problem with sand flathead, and we established that right back in 2012. The main reason that we did that was it was evident that there were no significant commercial catches of sand flathead. So, traditional stock assessments, you'd be using catch and effort, catch rates, that sort of information from commercial fisheries. So, we really needed to look towards alternative approaches to get that basic information and build an assessment of sand flathead. That was really the impetus for implementing that program. I might add that it was very much implemented as a cost-effective or low-cost program, at a time that was always a struggle getting finance and funding for these sort of projects. It's been really comforting to see that it has continued. What we've seen since about 2021-22, a significant additional investment and, obviously, we are where we are now, where there's a lot of Fisheries Research and Development Corporation [FRDC] money and government money put into trying to address the problem; but, as I mentioned, the problem was apparent back in the early 2010s, so this isn't a new situation.³⁷

- 2.26 Dr Lyle also outlined how stock assessments operate in practice:

Dr LYLE - Basically, it's fishing for two or three days in the Channel, two or three days in Great Oyster Bay, catching around 100 or 150 fish, maybe 200 fish, and then saying that is representative of what's going on in the stocks.

³⁵ Submission No. 6, Department of Natural Resources and Environment Tasmania, pp. 13-15.

³⁶ See TARFish website, *Our Team*. Accessed at: <https://www.tarfish.org/our-team>.

³⁷ Dr. Jeremy Lyle, Transcript of Evidence, 9 June 2026, p. 50.

As I mentioned, that particular program was developed as a low-cost. It was providing what we call 'weight of evidence information' about what was going on. It clearly demonstrated there were issues there, told us something about growth, told us something about year class variability and importantly we were using sort of catch rates as a measure to say, 'Are things trending up, down, or pretty much unchanged?'³⁸

2.27 NRE Tas provided evidence relating to the 2024-25 stock assessment:

The annual stock assessment considers a range of sand flathead fishery health indicators from both fishery-dependent and fishery-independent data. The former focuses on commercial catch and effort, while the latter focuses on the size and age structure of statewide and regional populations from data collected through the sand flathead fisheries-independent data collection program...

In addition to spawning potential and fishing mortality, the 2025 stock assessment investigated stock size structure. The assessment found that fish from the heavily fished south exhibited smaller size-at-age compared to relatively unfished populations.

While recreational catch data are collected approximately every five years through fishery diary surveys, stock assessments are conducted annually. Recreational catch data are not used in the stock assessment models. Since 2016, all stock assessments assigning a status to sand flathead use fishery-independent, length-based survey data. Assessment parameters (e.g. fishing mortality and spawning potential) used in the stock assessments do not incorporate recreational catch estimates. Instead, they rely on length-based methods, which infer fishing pressure from changes in stock size structure over time. These methods model fishing mortality annually. Modelled fishing mortality based on length data provide an accurate assessment of longer-term changes in fishing mortality. The assessments cannot detect short-term changes in recreational catch. Recreational catch surveys conducted every 5 years provide an estimate of actual catch rates. The information from these surveys, along with model results, is used by IMAS to produce their scientific advice to the Department and forms the basis of their recommendations.³⁹

2.28 In its submission, IMAS outlined the breadth of work it has undertaken relating to the sand flathead fishery:

IMAS has produced a substantial body of scientific work relevant to inform the stock status of Sand Flathead in Tasmania, including long-term fishery-independent surveys, historical reconstructions, biological sampling, reproductive studies, movement and connectivity analyses, human dimensions research, stock enhancement feasibility assessment, and contemporary quantitative stock assessments (e.g., Krueck et al 2025, see all IMAS reports...). Collectively, these multiple lines of evidence indicate that stock condition has been most depleted in south-east Tasmania and more

³⁸ Dr. Jeremy Lyle, Transcript of Evidence, 9 June 2026, p. 50.

³⁹ Submission No. 6, Department of Natural Resources and Environment Tasmania, pp. 16-17.

broadly depleted across much of the state, with Flinders Island the only region identified as currently sustainable.

Stock assessment modelling began in 2014/15 and immediately determined that long-term fishing mortality has exceeded levels consistent with sustainability targets, with subsequent regional comparisons highlighting that fishing mortality is most intense in south-east Tasmania (Krueck et al 2025). The principal scientific conclusion is that substantial reductions in fishing mortality are required for depleted populations to recover within practical management timeframes.

IMAS also undertook a 2025 feasibility assessment of stock enhancement for recreational scalefish species in Tasmania, including Sand Flathead (Hadley et al 2025). For Sand Flathead, the work considered whether hatchery-based enhancement could complement traditional management controls in depleted south-east regions, using the D'Entrecasteaux Channel as a case study. The assessment concluded that enhancement may provide some additional biomass benefits under low fishing pressure, but that reductions in fishing mortality remained the primary driver of recovery. In practical terms, stock enhancement was considered a potential complementary tool rather than a substitute for harvest controls and rebuilding measures.⁴⁰

- 2.29 In his submission, Dr Paul McShane of Global Marine Resource Management Pty Ltd, commented on the length based spawning potential ratio (LBSPR) method used in stock assessments for predicting biomass:

For sand flathead assessment in Tasmania, a length-based spawning potential ratio (LBSPR) method is used to derive a relative level of egg production. The advantage of the LBSPR is that it does not rely on biomass trends and can be used in the absence of catch data (Hordyk et al. 2015). Accordingly, the LBSPR method can be applied to assess recreational fisheries (Coscino et al. 2024). The LBSPR method requires length-specific fecundity (egg production) data together with estimates of maximum length, size at maturity, growth rate, and natural mortality to estimate the proportion of eggs produced from a fished population compared with an unfished population (Hordyk et al. 2015).

Low spawning potential ratios (< 20% of unfished stocks) give cause for concern as the reproductive potential of the population is deemed to be threatened. This is often termed recruitment overfishing where the fished population has been depleted to such an extent that it cannot be replenished through reproduction. This leads to fishery collapse. Recent estimates of the LBSPR are very low (~ 5%) (Krueck et al. 2025b). However, the LBSPR method is [a] very crude indicator of reproductive potential and the 20% value used as a warning threshold is only a yardstick that does not necessarily foreshadow fishery collapse.

The utility of the LBSPR method depends on a relatively large sample size (~ 1,000 individuals) and accurate estimation of growth, mortality, maturity, and fecundity. With relatively few individuals collected from each region for current assessments (< 100 fish), this approach lacks rigour. Similarly, LBSPR

⁴⁰ Submission No. 8, Institute of Marine and Antarctic Studies, p. 3.

assessment assumes that fishing pressure is uniform across the state and that the fishery is at equilibrium i.e. no change from year to year (e.g. due to environmental factors, management changes) (Coscino et al. 2024). As recent assessments pooled locations over three years in a regional assessment this compromises the reliability of the LBSPR approach for sand flathead as noted by the authors of the current assessment (Krueck et al. 2025b).⁴¹

- 2.30 The Committee heard from Dr Lyle about whether government should act on the evidence from stock assessments:

Ms ROSOL - Do you think it's reasonable for the government to act based on the information that they have at hand?...if 5 per cent of spawning biomass you're saying we can keep going, what per cent do we stop at and say, actually, this has gone too far, we have to do something now?

Dr LYLE - That's a good point. I think if it was truly 5 per cent, as I say, we would have started to see some clear evidence of population crash, not just decline, and certainly evidence in recruitment - the young fish coming through. Really, it's not at all clear. Now, that could be an issue with the fishery-independent surveys, and I guess that's my real concern, they were developed for a different purpose. They were really to provide weight of evidence to look at how things were trending through time. Now they are the prime input into a quantitative stock assessment model and, from what I can see, apart from extending the area - so we're now covering other areas of the state - there's been no increase or no change.

I'm really concerned that they may, at this stage, not be fit for purpose. I would be advocating for a truly independent, professional review of the assessment, and also the data that's going into that, you know, could we do anything better? We've had a lot of money put into this fishery and into this issue, but that core component really, from what I can see, hasn't changed, and that I think is a real alarm bell; that's what I'd say.⁴²

- 2.31 In his submission to the Committee, Professor Caleb Gardner was critical of the stock assessment data used by NRE Tas:

We do not yet have empirical scientific evidence of stock recovery since late 2023 and would not expect to. There has been no survey of recreational catch and effort because this is only scheduled every five years. As noted, in the latest IMAS assessment report, current fishing mortality rates cannot be reliably estimated. There has been insufficient time between sampling events to expect to see change. My impression is that the uncertainty in the scientific assessment of flathead stocks is not well recognised and that the fact that the stock remains classed as “depleted” has been interpreted as a bigger problem than it really is.⁴³

⁴¹ Submission No. 5, Dr. Paul McShane, p. 11.

⁴² Dr. Jeremy Lyle, Transcript of Evidence, 9 June 2026, pp. 55-56.

⁴³ Submission No. 2, Prof. Caleb Gardner, p. 2.

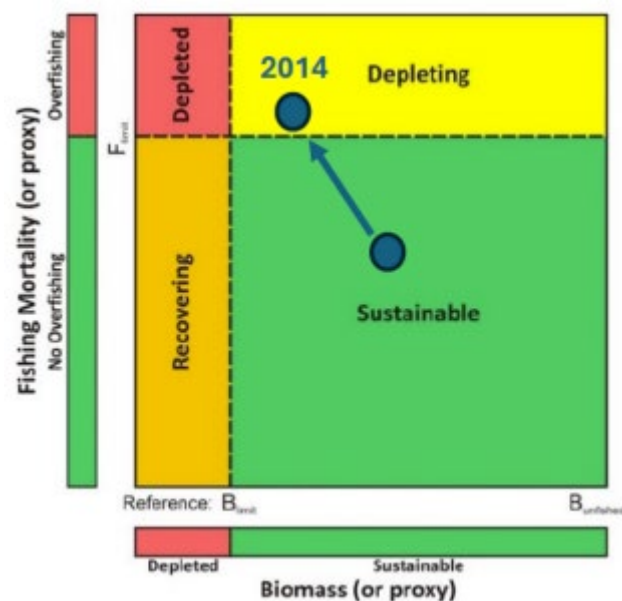
- 2.32 Professor Gardner further explained the system of classifying stock while arguing that the fishery does not meet the definition of depleted:

The inquiry will be helped by understanding the system used to categorise fish stocks. Estimates of biomass (x-axis) and fishing mortality (= “fishing pressure”; y-axis) are produced and used to locate the fishery on the plot below. This is the standard system applied across all Australian jurisdictions for assessing limit reference points – the minimum acceptable level for fish stocks.

Stock depletion was of sufficient concern in 2014 that sand flathead were classed “depleting”.

Formally, “depleting” means “Biomass is not yet depleted and recruitment is not yet impaired, but overfishing is occurring and moving the stock in the direction of becoming recruitment impaired” (“recruitment impaired” means fewer juveniles).

At the time there was adequate recruitment (lots of baby flathead coming through) but a concern that recruitment may decline if the abundance of spawning females kept declining. Spawning biomass was still at acceptable levels but it was declining.

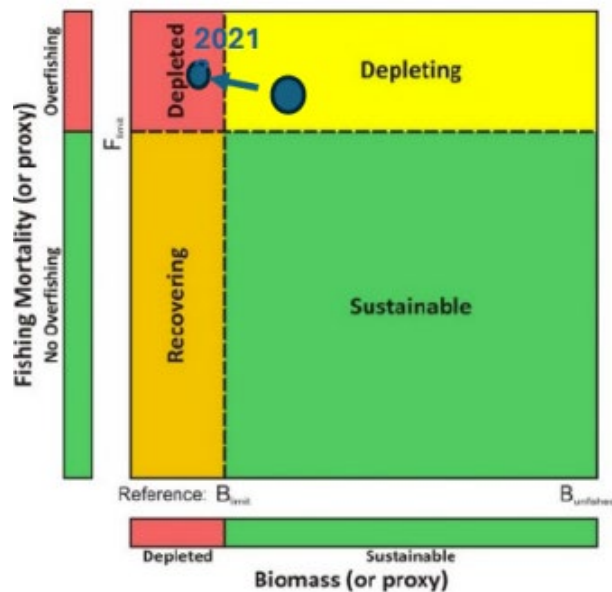


In 2021 the fisheries scientists at IMAS changed their classification from “depleting” to “depleted”. This decision was not clear-cut, a common situation in fisheries (I think they made the right decision, but am making the point that there’s uncertainty).

Here’s the definition of “depleted”: “Biomass has been reduced such that recruitment is impaired. Current management is not adequate to recover the stock, or adequate management measures have been put in place but have not yet resulted in measurable improvements”.

The challenge for fisheries scientists in 2021 was that there were two competing pieces of information. “Overfished” is for stocks that are recruitment impaired (fewer juveniles). But juvenile sand flathead were, and still are, abundant which means that sand flathead don’t meet the recruitment impaired criteria for “overfished”.

On the other hand, the estimated spawning biomass of sand flathead was very low and down to levels that risked lower recruitment. Ultimately the decision was made to class the stock as overfished despite no observed decline in recruitment. This situation has remained – good recruitment despite low biomass of breeding females.⁴⁴



- 2.33 However, Professor Gardner also argued that measurable improvements have not yet been observed in the fishery following the 2023 management changes:

The latest assessment considered the status of stocks using data collected in early 2025, which was around 18 months after the daily bag limit had been dropped to 2 fish and the size limit raised from 32 cm to 35 cm. Again, the status classification is not clear-cut between either “overfished” or “recovering”.

...

The argument in favour of keeping the stock classed as “depleted” is that “measurable improvements” in the stock have not yet been seen.

Either choice can be justified and IMAS chose to categorise the 2025 stock as “Depleted” in their 2025 report (which I think is fine).⁴⁵

⁴⁴ Submission No. 2, Prof. Caleb Gardner, pp. 5-6.

⁴⁵ Submission No. 2, Prof. Caleb Gardner, pp. 6-7.

- 2.34 TARFish, in its submission to the Committee, stated fears that the sand flathead fishery was in danger of imminent collapse were not supported by the science:

TARFish refers the Committee to submissions made by Professors [sic] Jeremy Lyle and Caleb Gardner, and Dr Paul McShane.

In addition, Dr Paul McShane provided TARFish with a response to management changes for sand flathead in Southern Tasmania.

Importantly,

- The stock assessment does not show imminent collapse.*
- There is no evidence of recruitment failure.*
- There is no evidence of immediate danger to stock viability.*

The independent scientific review by Dr Paul McShane concludes:

“There is no immediate danger to the viability of sand flathead.” “Strong recruitment is continuing and evident from recent surveys.”⁴⁶

- 2.35 The Committee received evidence regarding employment of the precautionary principle in relation to the decision to close the sand flathead fishery. Dr David Midson of NRE Tas stated:

Dr MIDSON - ... You mentioned that some of the submissions talk about no evidence of a further decline in the fishery. Conversely, and the counterfactual, is that there is no evidence of recovery. We've put in place these measures and we are not seeing evidence of recovery and that's why there is still a SAFS [Status of Australian Fish Stocks] assessment of 'depleted'. If there was evidence of recovery we would be seeing a 'recovering' status. It is really important to remember the precautionary principle in these circumstances. We are dealing with a fishery that is potentially at only 5 per cent of unfished biomass or its proxy. This is a very heavily depleted fishery and it has been depleted for quite some time. When you see that level of depletion it is really important to take a precautionary approach, and the precautionary approach is that where there is uncertainty, you actually act in a more cautious manner, you don't delay action. The precautionary approach is that, where you have uncertainty, you take action.⁴⁷

- 2.36 Environment Tasmania in its submission stated that:

While uncertainty is inherent in fisheries science, the available evidence clearly indicated a declining stock and the need for decisive management intervention. Effective fisheries management relies on high-quality data,

⁴⁶ Submission No. 9, TARFish, pp. 2-3

⁴⁷ Dr. David Midson, General Manager (Marine Resources), Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 9 June 2026, p.7.

robust stock assessments, and transparent communication and education among both commercial and recreational fishers. Although additional assessment methods and recovery efforts are now being investigated, such measures should not be deferred until the fishery is approaching depletion.

The lag between initial stock classification, the implementation of interim management measures that proved ineffective, and the eventual adoption of a full closure suggests that management responses, including the application of robust science and community education, lacked sufficient urgency.

This highlights the importance of applying the precautionary principle—taking early action to prevent further decline, rather than delaying intervention until more severe measures become necessary.⁴⁸

2.37 Dr McShane gave evidence on the use of the precautionary principle in closing the sand flathead fishery:

Dr McSHANE - ... I'm well aware of the precautionary principle because I used to teach it. That's where there are threats of serious or irreversible environmental damage, don't let scientific uncertainty postpone remedial measures. But on the basis of the available evidence, in terms of what we know about the stock, in particular the trajectory of small, young flathead coming through, there aren't any threats of serious, irreversible, i.e. extinction or inability of the population to replenish itself. There aren't those threats.

Ms ROSOL - So, you're saying there's plenty of small fish around, small sand flathead at the moment. We know that the spawning biomass is 5 per cent, which is recognised, I think, broadly as being critical level. But because you've seen, or people are seeing lots of young flathead around, it's all fine and so we don't need to apply the precautionary principle?

Dr McSHANE - I'm saying on the basis of the available evidence there's no threat of serious or irreversible environmental damage. The estimate of egg production is an estimate only. You have to consider the broader biology of flathead; they're a very resilient species, they're very productive. In other words, they have capacity to recover very quickly from fishing, quite clearly, because even though the fishery has been overfished for many years, there's still abundant young flathead coming through. What we're keen to see is a set of management measures linked to a performance indicator that you can measure in real time - that is, like an abundance index - to see whether or not those changes which have been implemented, in particular, the size-limit changes are having a beneficial effect on the recovery of the population.⁴⁹

2.38 The Committee heard from Dr Lyle in relation to the application of the precautionary principle in Tasmania's fishery management:

⁴⁸ Submission No. 3, Environment Tasmania, pp. 1-2.

⁴⁹ Dr. Paul McShane, Global Marine Resource Management Pty Ltd, Transcript of Evidence, 9 June 2026, pp. 68-69.

Mr GARLAND - In your time, how many times has the precautionary principle been applied, like it has with this?

Dr LYLE - To this extent? Very few. I'd certainly accept that this has been a very precautionary management response. I would also argue that the 2023 measures, particularly that reduction in bag limit to two, from 20 to two, that substantial increase in size limit - and that was a substantial increase - that was, I would have said, a highly precautionary measure. Understanding concerns from Tasmania Police that without the requirements about landing size fish, it perhaps was not as effective as it would've been in terms of the enforcement side of it.⁵⁰

2.39 NRE Tas also gave evidence on the potential role of citizen science to contribute to stock assessment processes:

Mr GARLAND - ... Would it be a good idea - we've done citizen science and the commercial sector in conjunction with the recreationals have all contributed samples with rock flathead, King George - I think, because the community are sort of being left out with this, would it be a good approach to include the community in the collection of science? For instance, if you want to ascertain a biomass, wouldn't it be good to have all the recreationals out there on a given day to fish certain areas? That would give you real data in real time and it would be cost effective. The feedback to me is the recreationals has been left out, they haven't been included and I think that would be an excellent way, going forward, to help with our budgetary situation and also get a clearer picture, not only for us and for the Department, but for those recreationals that are a bit disbelieving about the status of things.

Mr JACOBI - ...it's an excellent suggestion and without spoiling a new initiative that's being developed in my Department, we do have a citizen science tool, which will be coming out very shortly, which will provide fishers with a whole suite of opportunities to report on different stock and fish that they collect. David might be able to talk more specifically to that particular tool, but I think it is an excellent suggestion. Citizen science, as long as the data is collected accurately, and in a simple way for people that's practical for them on their boats, it will be important to informing the condition of the stock, and it will be critical to informing our decisions about progressive reopening, particularly in the south-east.⁵¹

2.40 The Committee questioned Minister Pearce on the use of the data from stock assessments:

Ms ROSOL - ... I just wanted to pick up on something, because there seem to be some questions around the evidence that the decision to close the fishery was based on. Ms Finlay was saying there's not been any catch surveys, so we don't really know what's happening. But my understanding is that you've already said, and we heard this morning, that there were [stock] assessments

⁵⁰ Dr. Jeremy Lyle, Transcript of Evidence, 9 June 2026, pp. 54-55.

⁵¹ Mr. Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 9 June 2026, p.8.

done last year that show no improvement. So, I'm just clarifying that - that I've heard that correctly?

...

Mr PEARCE - ... In terms of this being a new thing that just suddenly snuck up on us, well, it didn't. The data - the stock assessment - go way, way back. This has been evidence for a long period of time. In terms of future monitoring of populations and particular parts of the population, that's important also...

Ms ROSOL - And your decision now is still based on evidence, even without the fisher catches?

Mr PEARCE - A hundred per cent. This is not a political - I mean, people try and politicise a decision. This, in my case, and hand on heart, this is not based on politics. The easy way forward for a politician would be to take no action, to just accept the status quo. Everyone's happy, happy, happy - until the day when we are listed as an extinct zone in terms of sand flathead. And that's where we were looking...

Ms FINLAY - Wow.

...

... Where's the scientific evidence for that statement? What's the scientific evidence for 'extinction'?

...

... That's a Minister on the record. ...

Mr PEARCE - ... This was not political for me. This was based on science and the future survival of that species in that zone.⁵²

- 2.41 The issue of stock assessment recommendations being interpreted as the fishery risking extinction was further explored by the Committee:

Ms FINLAY - ... Minister, in your answer to Ms Rosol previously, you said that it was a choice of extinction or not. I'm just wondering what scientific evidence you have for that statement, because the question before us is actually: how fast the fishery will recover. It's not been about whether it becomes extinct; it's been about whether there's a fast or a slow recovery. Have you got evidence on your comment about: had you not closed the fishery it would've become extinct?

Mr PEARCE - And again, don't mix my words up. 'That's where we were heading' is what I said, and have a look on the Hansard, because that's how I said it. If you can't get your head around the numbers –

⁵² Hon. Gavin Pearce MP, Minister for Primary Industries and Water, Transcript of Evidence, 9 June 2026, p. 43.

Ms FINLAY - Well, that's what I'm asking. I'm asking for –

Mr PEARCE - if you can't understand the data –

Ms FINLAY - Minister, Minister - I'm asking the question –

Mr PEARCE - If you can't understand the stock assessment and that, you know, we've gone from - we manage... this at 40 per cent. We get down to, you know, we're in trouble at 20 per cent. We're at 5 per cent. There's a one-in-100 chance of catching a size flathead. If you can't understand that, then something is wrong... ⁵³

2.42 The question was then raised as to who provided the Minister with advice on extinction:

Ms FINLAY - Could you outline for the Committee who advised that without this decision the fishery would become extinct?

Mr PEARCE - You cannot argue with the fact that this is critically depleted and we need to take grown-up, practical steps.

...

Ms FINLAY - I'm asking who provided you advice that if you didn't close it that the fishery would become extinct?

Mr PEARCE - I'm saying that based on the way that it was going.

Ms FINLAY - But you must have had advice to make that statement.

Mr PEARCE - I said we are looking at - that it is heading to that.

Ms FINLAY - I'm asking who gave you that advice?

Mr PEARCE - I made that advice. I made that assumption.

Ms FINLAY - Oh, you made the fisheries advice that it's going towards extinction? So, as Minister, the decision you made was –

Mr PEARCE - If you cannot get your head - if you're trying to argue the facts around those numbers being critically depleted, then I suggest this Committee talk to the most eminent scientists that we have in this country, who provided me that advice that these numbers, if we keep going, we won't have any flathead.

Ms FINLAY - So that is my question to you: was your decision to close the sand flathead fishery in the south-east a decision between the fishery becoming extinct or not?

⁵³ Hon. Gavin Pearce MP, Minister for Primary Industries and Water, Transcript of Evidence, 9 June 2026, p. 45.

Mr PEARCE - Again, you're verballing me. I make decisions based on the advice that I'm given, and the management advice that I'm given from my Department, and that's exactly what I did.⁵⁴

Restocking

- 2.43 In his written submission, Minister Pearce presented evidence on the Tasmanian Government's investment into the sand flathead enhancement program:

*Our Government has invested \$1.2 million for IMAS to conduct a Sand Flathead stock enhancement program in the South-East and we recognise that this will be an essential part of getting sand flathead levels back to what they once were. The stock enhancement program, paired with the zone closure, will accelerate the rebuilding of the fishery.*⁵⁵

- 2.44 In its submission to the Committee, NRE Tas stated that it considered the stock enhancement program when recommending to close the fishery:

In making the recommendation to close the fishery, the Department gave consideration to the Government's then proposed stock enhancement program in the D'entrecasteaux [sic] Channel. This program is a supplementary management action, designed to assist with recovery of the fishery while rules, such as bag limits, size limits and closures, are the primary management measures. The program aims to develop and test stock enhancement methods in semi-closed waters, with the primary aim of restoring genetic and size structures in the fishery.

Consideration of stock enhancement in the decision-making process included how a spatial closure could improve the effectiveness of [the] program, and how stock enhancement could be used to speed up the recovery and therefore reduce closure timeframes.

The recent closure of the fishery in the south-east is intended to effectively remove all targeted fishing pressure in this area. This will incidentally create favourable conditions for stocked fish to survive and contribute to the fishery. While the effectiveness of any management measures is impacted by compliance rates, it is expected that the closure, along with the requirement to land whole or with fillets and frames, will increase compliance and the effectiveness of enforcement activity.

*By combining sustained management actions with carefully planned stocking strategies, the program can address both the immediate need for biomass rebuilding and the long-term resilience of the fishery.*⁵⁶

- 2.45 IMAS provided evidence on its 2025 feasibility assessment in its submission:

⁵⁴ Hon. Gavin Pearce MP, Minister for Primary Industries and Water, Transcript of Evidence, 9 June 2026, pp. 45-46.

⁵⁵ Submission No. 7, Hon. Gavin Pearce MP, Minister for Primary Industries and Water, pp. 1-2.

⁵⁶ Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 24.

IMAS also undertook a 2025 feasibility assessment of stock enhancement for recreational scalefish species in Tasmania, including Sand Flathead (Hadley et al 2025). For Sand Flathead, the work considered whether hatchery-based enhancement could complement traditional management controls in depleted south-east regions, using the D'Entrecasteaux Channel as a case study. The assessment concluded that enhancement may provide some additional biomass benefits under low fishing pressure, but that reductions in fishing mortality remained the primary driver of recovery. In practical terms, stock enhancement was considered a potential complementary tool rather than a substitute for harvest controls and rebuilding measures.⁵⁷

2.46 TARFish provided its perspective on any restocking of the south-east fishery:

It is not clear if part of the Ministers consideration for closing the entire south east is the impending restocking trial.

TARFish has scant detail on the proposed restocking program and there is no reference group as part of the project unfortunately.

It is TARFish's view that it is unnecessary to close the entire South-East to allow experimental breeding program and that a smaller geographic area could be closed to support the trial as the proposed area for the restocking and translocation program is the D'Entrecasteaux Channel. Not the entirety of the South-East.⁵⁸

2.47 Dr Lyle provided evidence on restocking of the sand flathead fishery as a complementary approach to closure:

Stock enhancement using selective breeding and restocking is also proposed as a complementary approach to assist rebuilding (Hadley et. al 2025). While technically feasible, this approach would seem to be high risk in terms of producing measurable benefits to the stocks in the SZ [south-eastern zone] and, regardless, is likely to take many years to achieve a scale that could reverse some of the changes in population traits that have resulted from decades of heavy fishing pressure. Rather, more conventional approaches that manage fishing pressure and afford protection to the spawning stock are likely to be more effective in promoting recovery and sustainability. Closure of the fishery represents an option of "last resort", applied when alternative measures have failed or deemed to be ineffective or stock collapse is considered imminent or likely – on balance, none of these conditions apply to sand flathead to justify closure at this stage.⁵⁹

2.48 Dr McShane questioned the potential effectiveness of the restocking plan:

The estimated age of maturity for female sand flathead is around 2.5 years (~25cm in length), although this can vary regionally (Bani and Moltschaniwskyj 2008). Thus, given the current size limit of 35 cm, there are many year classes of sand flathead contributing to egg production. Even in

⁵⁷ Submission No. 8, Institute of Marine and Antarctic Studies, p. 3.

⁵⁸ Submission No. 9, TARFish, pp. 4-5.

⁵⁹ Submission No. 4, Dr. Jeremy Lyle, p. 7.

the absence of bag limits, if complied to, the current LML [legal minimum length] would conserve sand flathead in Tasmania. Given this, a proposal to restock sand flathead with hatchery reared individuals seems ill advised when compared with the reproductive potential of natural populations.⁶⁰

Compliance

2.49 Evidence received from the Tasmanian Government stated compliance was an important consideration in closing the sand flathead fishery in south-east Tasmania.

2.50 At the 9 June 2026 public hearing, Minister Pearce gave evidence that compliance challenges were known prior to the decision to close the sand flathead fishery:

Mr PEARCE - ...it's important to note that concerns about the state of the south-east sand flathead fishery, including stock depletion and compliance challenges, were clearly identified prior to this decision. Advice to fishers in the 2024-25 Recreational Fishing Guide highlighted significant compliance issues, particularly in the south-east, where stocks were most depleted, and foreshadowed that more direct measures, including the potential closure, may be necessary for the continued management of the fishery, and if those issues persisted.⁶¹

2.51 The Minister's submission noted the role of IMAS advice and Tasmania Police's operational experience in the closure decision:

In considering the latest IMAS advice, it is apparent that the 2023 changes did not provide the required level of certainty that the fishery will recover in a reasonable timeframe. The Government notes that IMAS stock status assessments assume full compliance with the relevant regulatory settings. A number of submissions on the 2023 rule changes commented on perceived compliance challenges associated with enforcing the proposed rules. Since the rules came into effect, operational information shared by Tasmania Police shows that it would be imprudent to assume full compliance in the real world.

In considering the IMAS advice and the operational experience of Tasmania Police, the Government formed the view that without further management action, continued fishing pressure, particularly in the South-East, would mean that recovery of the fishery would not be acceptably certain.⁶²

2.52 In its submission, NRE Tas emphasised the importance of Tasmania Police's on-water fisheries compliance and enforcement role:

Tasmania Police officers are Fisheries Officers under the LMRMA [Living Marine Resources Management Act 1995 (Tas)]. They conduct on-water fisheries compliance and enforcement operations on behalf of the Department. Additionally, Section 21 of the LMRMA requires that

⁶⁰ Submission No. 5, Dr. Paul McShane, p. 13.

⁶¹ Hon. Gavin Pearce MP, Minister for Primary Industries and Water, Transcript of Evidence, 9 June 2026, p. 32.

⁶² Submission No. 7, Hon. Gavin Pearce MP, Minister for Primary Industries and Water, pp. 2-3.

consultation is to occur between the Department and Tasmania Police. Tasmania Police must provide certain information to the Department including compliance and enforcement activity related information.

Information provided by Tasmania Police is an important input to management decisions. Tasmania Police conduct all compliance and enforcement activities related to recreational fishers in the sand flathead fishery. A range of matters affecting the practical enforceability of the regulatory framework have been raised by Tasmania Police in discussions with the Department.⁶³

2.53 NRE Tas's submission described Tasmania Police's advice regarding non-compliant recreational fishing of sand flathead:

On 3 July 2024, Tasmania Police advised the Department of the ongoing non-compliance associated with recreational fishing for sand flathead. This advice concluded that the current rules (introduced in 2023), were not being complied with to a satisfactory level. In April and May 2025, further compliance operations undertaken by Tasmania Police identified continued and increased levels of non-compliance with the sand flathead rules. Subsequent advice was provided on 21 July 2025. The advice identified a range of evasive and exploitative activities employed by a number of recreational fishers clearly intent on not complying with the new sand flathead rules. Tasmania Police advised that enforcement of recreational size and catch limits would be most effective where sand flathead were required to be landed whole, as this would enable reliable species identification and length verification during compliance checks. Tasmania Police also indicated that it was satisfied with alternative arrangements permitting fish to be landed as fillets, provided the naturally intact frame of the fish was retained to allow verification of compliance. This advice also identified that the enforcement of current catch and bag limits for Southern Sand Flathead was significantly compromised. The advice also noted that enforcement outcomes would be maximised by implementing a closure.

One of the primary factors affecting the effectiveness of compliance efforts was the ability of fishers to fillet fish at sea. This activity removed all identifying features of caught flathead, meaning Marine Police were unable to determine the species in possession of any particular fisher. The requirement to land fish whole or retain intact frames was proposed to mitigate this issue.⁶⁴

2.54 NRE Tas stated that it understood the nature of the compliance advice from Tasmania Police:

In considering this advice, the Department was aware that this did not constitute a statistically representative survey of compliance rates. It was however well understood that the data and information provided by Tasmania Police were derived from operational observations and therefore,

⁶³ Submission No. 6, Department of Natural Resources and Environment Tasmania, pp. 19-20.

⁶⁴ Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 20.

while not sufficient to solely inform management decisions, were key information.⁶⁵

- 2.55 At the 9 June 2026 public hearing, Mr Jacobi reiterated the advice given by Tasmania Police stating:

Mr JACOBI - ...At the same time, and most recently as 2025, advice from Tasmania Police, our fisheries enforcement partner, confirmed that evasive practices were occurring, with one in four boats inspected between April and May 2025 committing flathead related offences, and non-compliance was actively hindering recovery. It was clear the behaviours were undermining our controls. Without stronger measures, such as landing fish whole, rules could not be effectively enforced and management would continue to fail. We considered all available options, but the only remaining option really available, other than closure, was to reduce the bag limit and slot size to a point where 100 per cent of the stock could not be taken. That is effectively a closure; and why make rules confusing when they don't need to be?⁶⁶

- 2.56 Mr Jacobi later stated that the compliance levels reported by Tasmania Police were very low and cast doubt on the recovery of the fishery:

Mr JACOBI - ... the evidence that was presented to us by our TasPol colleagues indicated that compliance levels were very, very low - putting unreasonable and additional pressure on the status of the stock and, certainly, leading me to the opinion that we were not in a space of recovery.⁶⁷

- 2.57 The Committee enquired of NRE Tas if non-compliance had been an ongoing concern in fisheries management:

Mr Di FALCO ...in relation to non-compliance: was it determined that that was an issue prior to 2023?

Mr JACOBI - ...it is viewed as a tradition, as a culture in Tasmania, to fish for flathead. We have done the best that we believe is possible to introduce measured action after measured action over time, based on the information that's been available to us. As you would have seen from the history of this, we've gone from depleting - which doesn't mean, necessarily, that the stock is unrecoverable - but we've gone from depleting to depleted. As each piece of data and information has led us to a worse condition, we have done our best to respond.

Now, in 2023, I was involved in those decisions, and I believe that they were substantial and significant measures: we reduced the bag limit from 20 down to, I think it was, two in the south-east. We significantly reduced the bag limits across the rest of the state, but we didn't go so far as to the landing-whole requirement, and that was always going to be a gap, and we knew that

⁶⁵ Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 20.

⁶⁶ Mr. Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 9 June 2026, p. 3.

⁶⁷ Mr. Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 9 June 2026, p. 7.

was going to be a gap. The next obvious step, as I mentioned before, Mr Di Falco, was there really wasn't much room for reducing the bag limit in the south-east. The south east is a unique state where fishing pressure is so extreme and so significant across the whole of the south east area that compliance - no matter how much compliance you put in place on the water or on land... it would be impractical in terms of - and not cost effective.

Ms FINLAY - Does that mean you could never reopen it, though, if compliance is never possible?

Mr JACOBI - No, it means we have rules in place now which are absolute. You know you cannot take a sand flathead and fillet it and take it home in the south-east, and that provides very clear compliance measures and an understanding in the broader community about what can and can't be done.⁶⁸

- 2.58 While giving evidence on 9 June 2026, Mr Jacobi tabled a NRE Tas document entitled *Flathead Compliance Evaluation* to assist the Committee's Inquiry, which stated:

Effective fisheries management relies not only on well-designed rules, but on a high level of compliance. Stock assessment models also assume high compliance, meaning management measures must be understood, accepted and realistically enforceable. For a depleted stock such as sand flathead, ensuring high compliance is critical. The Department therefore prioritises management rules that are practical to enforce, clearly communicated, and structured to maximise voluntary and observed compliance.

...

*NRE Tas considers compliance with current bag and size limits extremely difficult to enforce, largely due to a high level of filleting at sea and transit opportunities. Enforcement data highlights several issues specific to bag size limits.*⁶⁹

- 2.59 The NRE Tas tabled paper also noted that "scientific models assume high compliance; undetected non-compliance produces overly optimistic stock assessments."⁷⁰

- 2.60 The tabled paper concluded that:

Given that bag and size limits are extremely difficult to enforce in most circumstances and Tasmania Police have found high-levels of non-compliance, the Department cannot assume high levels of compliance.

⁶⁸ Mr. Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 9 June 2026, p. 12.

⁶⁹ Tabled paper, *Flathead Compliance Evaluation*, Department of Natural Resources and Environment Tasmania, p. 1.

⁷⁰ Tabled paper, *Flathead Compliance Evaluation*, Department of Natural Resources and Environment Tasmania, p. 2.

Requiring fishers to land flathead whole – or fillets accompanied by an intact frame – would ensure fisheries officers can accurately identify the species and compliance with species, size and bag limits. This simple rule, common in other jurisdictions, immediately supports the rebuild of the sand flathead fishery.⁷¹

- 2.61 At the 9 June 2026 public hearing, Assistant Commissioner Doug Oosterloo, and Acting Inspector Paul Johns, of Tasmania Police gave evidence of the fisheries compliance and enforcement operations undertaken in accordance with LMRMA:

Mr OOSTERLOO - ...for context, Tasmania Police, we support the... Department of NRE, in terms of the enforcement and compliance with the fisheries legislation. We do that through a number of forums, but the capability is more broadly provided by our Marine and Rescue Services. Marine and Rescue Services is a division, as I say; it has 33 full-time officers, all stationed in the south, with a further 11 marine officers stationed around the state, in the north-west, north, east and west. So there's 11 officers dispersed around the state, but the main capability is provided by our southern-based team, which is overseen... by Acting Inspector Johns.

We've got 33 vessels coincidentally as well, including four large vessels: the Van Diemen, the Wickham, the Vigilant and the Dauntless, which I'm sure you're aware of. So our patrols and our enforcement and compliance activities are undertaken using those vessels, 29 other trailer vessels around the state, to conduct patrols and inspect boat users, recreational boat users and commercial vessels as well, mainly through our large vessels. We also, through supporting our dedicated marine police, our frontline police receive training and are encouraged to conduct enforcement activities at boat ramps, particularly, around the state, making sure to check catch and monitor compliance with the legislation.

In terms of our relationship with NRE, the act requires the secretary of NRE to hold four meetings per year in terms of consultation with police, and the Act spells out what we must do in those consultation meetings. Practically the attendance of those meetings are delegated, so the secretary of NRE delegates to an officer within NRE and the delegation in Tas Police sits with the inspector in charge of Marine Rescue to attend those meetings. At those meetings police will present statistics, data around our enforcement activities, and provide statistics around what we're seeing in terms of enforcement. So that is the main vehicle for consultation with Tasmania Police and that is the main, I guess, forum where we will provide feedback and statistics on those enforcement activities. In terms of sand flathead, that has been the main source of feedback from Tasmanian police to NRE to guide their decision-making around closures and rule changes.⁷²

⁷¹ Tabled paper, *Flathead Compliance Evaluation*, Department of Natural Resources and Environment Tasmania, p. 2

⁷² Assistant Commissioner Doug Oosterloo, Tasmania Police, Transcript of Evidence, 9 June 2026, pp. 19-20.

- 2.62 Assistant Commissioner Oosterloo provided sand flathead compliance and enforcement statistics:

Mr OOSTERLOO - For the last three years, so I will give you 2023-24, then I will give you 2024-25 and also then up until 31 March this year; there are three types of offences we've been tracking. One is take excess sand flathead in the southern sand flathead region, and then the two others are take, buy, sell or possess either oversized sand flathead or undersized sand flathead. In 2023-24 in the southern sand flathead region we detected nine people taking excess sand flathead. In 2024-25 that was down to six, and in the 2025-26 year up until 31 March, it's six offences of taking excess sand flathead. In terms of the other two, which were take, buy, sell or possess oversized sand flathead and undersized sand flathead: in terms of oversized, 2023-24 there were 19 offences detected; in 2024-25 there were 31 offences for oversized sand flathead detected; and to 31 March this year, there's been nine oversized sand flathead offences detected. Moving to the final category, undersized sand flathead: in 2023-24 76 offences detected; in 2024-25 there were 72; in 2025-26 up until 31 March there have been 45 offences.⁷³

- 2.63 In a response to a question on notice regarding how many vessel checks or inspections have been conducted to inform the statistics relating to non-compliance, Tasmania Police provided the following:

Tasmania Police does not maintain statistical data that categorises vessel inspections by fishery type. Vessel inspections (both on water and land) are conducted as comprehensive compliance checks, incorporating marine safety and inspections of fishing activity across all fisheries. These checks are categorised in the system as 'Recreational Other'.

The below table shows the number of sea and land inspections of recreational vessels under the category of 'Recreational Other' for the last three years, along with the number of total recreational offenders and the number of flathead-specific offenders.⁷⁴

Financial Year	Sea Inspections	Land Inspections	Total Inspections	Total Recreational Offenders	Total Flat Head Offenders
2023/24	15,782	4,269	20,051	511	89
2024/25	13,969	3,550	17,519	395	96
2025/26	14,074	1,969	16,043	554	63

⁷³ Assistant Commissioner Doug Oosterloo, Tasmania Police, Transcript of Evidence, 9 June 2026, p. 20.

⁷⁴ Response to question on notice, Tasmania Police, dated 13 July 2026. Note the Tasmania Police table is on the following page.

- 2.64 Assistant Commissioner Oosterloo gave an example of a compliance and enforcement operation undertaken by Tasmania Police in 2025, which formed the basis of the compliance statistics provided:

Mr OOSTERLOO - ...between April and May of last year...our police conducted statewide activities with a focus on sand flathead recreational sand flathead fishing. We specifically counted the number of boats that we were stopping and checking for sand flathead offences and then, obviously, the level of compliance from those boats - over that very short period, I must add. Eighty vessels were checked at various locations around the state, and one in four - so a quarter of those vessels - were detected ... committing some sort of sand flathead offence.

But, you know, this was a time when filleting was permissible. Only a quarter of the fish that we detected in those vessels were retained whole. The rest had been filleted. So, a very high number of filleted - 75 per cent of all those boats found with flathead had already filleted the fish before our police intercepted them. I guess what that sort of tells you is we don't, you know, we have difficulty with fillets, understanding whether they were in breach or not. Obviously excess is a bit different, but species and size. So, yes, one in four of those vessels out of 80. We did find a level of non-compliance in terms of those offences. One of the things we did notice, and I guess this is anecdotal, is the fillets - the advice from my officers is numerous fillets during that operation seemed to be undersized, seemed to be not at the right size. But proving that when you don't have the full fish is quite difficult.⁷⁵

- 2.65 Tasmania Police's evidence was that enforcement was difficult and changes to make it easier were required:

Ms FINLAY - ...I had heard anecdotally - and a lot of this is anecdotal, right - that there'd been rumours that police had made comments that it was difficult to enact the rules to do the compliance. Would that be a fair summation?

Mr OOSTERLOO - ... The feedback that we've provided to the Department of Natural Resources and Environment Tasmania (NRE) consistently is about how to make enforcement easier -

Ms FINLAY - Shut the fishery that makes it -

Mr OOSTERLOO - so, we haven't tried to influence those sorts of decisions but we've explained what we're seeing from an enforcement perspective and what would make it easier. When we have different rules operating for different fisheries in different zones, different sizes, those sorts of things, it can be quite complex, so our feedback has been the simpler we can make the rules, the easier it is for people to understand, the easier it is for our people to enforce it.

⁷⁵ Assistant Commissioner Doug Oosterloo, Tasmania Police, Transcript of Evidence, 9 June 2026, pp. 23-24.

*The filleting at sea was the main issue, and that's been the main feedback, so that might be what you're hearing which is our police saying it is difficult for us to determine species and size when flathead are being filleted at sea.*⁷⁶

- 2.66 The Committee heard evidence from Tasmania Police about any advice provided to NRE Tas about the need for a closure:

Ms FINLAY - ...given that rule change now, had the fishery not closed, would that increase your capacity to check, and therefore compliance would be more absolute? Do you think that would help change fisher behaviour in terms of that non-compliance, or in fact make the datasets more real in terms of understanding? Could the fishery have stayed open and that compliance measure been introduced and had a positive impact?

Mr OOSTERLOO - Again, the closure of the fishery wasn't something that Tasmania Police had responsibility for. It is pleasing that the filleting rule applies across the state, so that helps us with enforcement.

Ms FINLAY - Have you seen any improvement elsewhere?

Mr OOSTERLOO - It's only been a very short period of time. We haven't really got statistics from that, but I think I'm hearing from our marine people that it's absolutely helped them in terms of enforcement.

Ms FINLAY - ...I was surprised to read in the NRE submission...with that advice set that you gave them in July, they suggest that you provided advice about the closure of the fishery. I'm reading page 20, about halfway down...paragraph 3, the big thick paragraph says:

The advice also noted that enforcement outcomes would be maximised by implementing a closure.

Mr OOSTERLOO - I don't know. The advice - those meetings are verbal meetings. They're minuted, but my reading the minutes doesn't reflect that that advice was specifically provided, but I am quite confident discussion about closure would have occurred in those meetings, and our position would be it's a matter for NRE if you want to close the fishery or not; their team is collecting the science and getting the expert advice. From an enforcement perspective, absolutely our position is that closure makes it a lot easier for enforcement. I don't want to sound like I'm being difficult. I don't want to sound like we would have professed to understand the fisheries -

Ms FINLAY - Fisheries management.

Mr OOSTERLOO - and fishery management to be able to inform a closure. What we absolutely would have said, and continue to say, is that closure of a

⁷⁶ Assistant Commissioner Doug Oosterloo, Tasmania Police, Transcript of Evidence, 9 June 2026, p. 22.

*fishery is a lot easier to enforce than different rules for different fisheries. If we find anyone with flathead in that area, they're in breach.*⁷⁷

2.67 TARFish was critical of the data presented by Tasmania Police and the Minister's acceptance of the advice relating to that data. In its submission, TARFish stated "the Government argues that low compliance necessitates a closure. However, the confidential compliance evaluation report... does not support this conclusion."⁷⁸

2.68 TARFish submitted that there are many problems with the data gathered from the operation between March and April 2025, specifically:

- The dataset is too small

The entire statewide operation involved "Approximately 80 recreational boats... checked." Eighty boats across Tasmania is not statistically meaningful.

- The checks were targeted, not random

Targeted operations always produce inflated offence rates. The "one in four vessels" figure is not representative of the broader fishing population.

*- Offence types are not broken down to provide any insight into the types of non-compliance.*⁷⁹

2.69 TARFish's position was that the issue was not one of compliance but of communication:

TARFish has continuously advocated for the Government to focus its communications efforts on compliance. However, since 2023, there has only been minimal communication to a large, diverse audience...

Confusion about new rules is not deliberate non-compliance. This is a communications issue, not a biological emergency requiring fishery closure

Both the stock assessment and compliance report provides no clear evidence that non-compliance is widespread enough to affect biomass.

*More information and detail regarding non-compliance is needed before concluding compliance is a problem. We need information on the stock to see if it is recovering despite any compliance problems. We also need a much better understanding of what the non-compliance issues are so we can discuss how to fix them without shutting the fishery.*⁸⁰

⁷⁷ Assistant Commissioner Doug Oosterloo, Tasmania Police, Transcript of Evidence, 9 June 2026, p. 28.

⁷⁸ Submission No. 9, TARFish, p. 4.

⁷⁹ Submission No. 9, TARFish, p. 4.

⁸⁰ Submission No. 9, TARFish, p. 4.

- 2.70 At the 10 June 2026 public hearing, Ms Gallichan, Chief Executive Officer of TARFish, gave evidence about attempts to receive data on compliance:

Ms GALLICHAN - ... TARFish has requested from NRE hard data on compliance over an extended period. It has never been provided at any time before the fishery was closed. We asked to work with Tasmania Police directly to help recreational fishers understand the problem and explain the consequences. This offer wasn't taken up.⁸¹

- 2.71 Ms Gallichan gave evidence that recreational fishers' understanding of the issues is key to compliance:

Ms GALLICHAN - Compliance relies on fishers understanding the problem. Compliance relies on fishers believing that the response is proportionate and predictable, and compliance relies on fishers knowing what the rules are and believing that their compliance makes a difference...⁸²

- 2.72 TARFish consider public compliance data as key to recreational fishers understanding the significance of the issues facing the fishery:

Ms GALLICHAN - ... In terms of compliance, it is a shared responsibility, and that's why we've been actually seeking data because we can't just use this - 'It's the vibe of the thing, we think there's non-compliance'. As I said at the start of my presentation today: yesterday is the first time that we've had as much data on compliance. There was the compliance note that has been tabled. We received that after the announcement of the fishery closure. In the lead-up to that we've actually had no information specifically around compliance and it's something that we are comfortable to talk about, but we need the specifics.⁸³

- 2.73 TARFish submitted suggestions for improving compliance:

1. Getting compliance right

a. Standardise management settings in the South-East by making entirety of area a bag limit of 2 and maintaining slot limit of 35-40cm

b. Landing of fish whole or with heads and frames. Support is conditional on Government investment in installation of cleaning stations and management of waste disposal at boat ramps.

c. Increasing investment in marine police and/or fisheries officers for more enforcement opportunities

⁸¹ Ms. Jane Gallichan, Chief Executive Officer, TARFish, Transcript of Evidence, 9 June 2026, p. 35.

⁸² Ms. Jane Gallichan, Chief Executive Officer, TARFish, Transcript of Evidence, 10 June 2026, p. 35.

⁸³ Ms. Jane Gallichan, Chief Executive Officer, TARFish, Transcript of Evidence, 10 June 2026, p. 47.

d. Focussing government communication on ensuring the rules are well known and well understood

e. Reinstating the Fisheries Compliance Committee that includes Tasmania Police, Fisheries and the commercial and recreational peak bodies.⁸⁴

2.74 The Committee heard differing perspectives on the impact of non-compliance on the fishery and the need for closure.

2.75 Professor Gardner gave evidence that, from a scientific perspective, non-compliance should not impede stock rebuilding:

Prof GARDNER - The other thing I'd say on compliance is I like seeing data on things. To me it sounds a bit anecdotal at the moment. I don't like anecdotes. I like hard data. If police have concerns about compliance, that's great, they're experts. That's an issue, but let's see some data –

Ms ROSOL - So, you didn't have data when you made your submission?

Prof GARDNER - On the compliance? I still haven't seen any data on the actual levels of compliance from police. There is none available that I'm aware of.

...

...I would think a police officer, I'm speculating, if they went out and, say, found 20 per cent of people were not being compliant, I would think they would feel that's a real problem.

From a stock assessment level, that's fine. If one fisher in five was taking three fish rather than two or so, that would sound like a compliance problem but in terms of would it delay stock rebuilding, that's a completely different question.

Compliance, at the moment I hear is an issue, but I'd like to see some numbers and I'd like to see some analysis to know is the compliance of such a concern that it'll prevent stock rebuilding with the bag limit of two?⁸⁵

2.76 Professor Tracey of IMAS remarked on the difficulties in understanding non-compliance:

Prof TRACEY - ...We heard from the police yesterday that they have challenges doing their job and that there are advantages in reducing the amount of non-compliance. I think it was - sorry, a question raised earlier about the non-compliance as well, is that one of the challenges of actually modelling that or understanding it, is you don't know if non-compliance is someone's taking four fish instead of two or 200 fish instead of two. That's the challenge; if someone's going to be non-compliant, what level of non-compliance is actually occurring. So, that's the challenge in terms of

⁸⁴ Submission No. 9, TARFish, p. 14.

⁸⁵ Prof. Caleb Gardner, Transcript of Evidence, 9 June 2026, p. 60.

modelling that, but it may be something we can talk to the police going forward about, seeing if we can get some more data from them which we could test in the models.⁸⁶

- 2.77 Dr Lyle provided his view about the most effective measures to promote compliance in the fishery:

Dr LYLE - I think the really significant management change in 2023, the increase in the size limit, that had a substantial protective value, if you like, for the spawners. We have for sand flathead, for instance, effectively, and particularly in the south-east area, probably five or six years of protection between achieving maturity and actually entering the fishery. Obviously we hear concerns about compliance and I think, personally, that move to require landing of whole fish, or at least the frames with fillets attached, is actually a really positive step to allow police to ensure that we do have compliance in this fishery. The other thing, too, was the very significant reduction in bag limit - and I'm talking about the south-east here - to two. That's equivalent to what you're allowed to take for rock lobster, for instance.⁸⁷

- 2.78 Dr McShane gave evidence on what conditions would elicit compliance or non-compliance:

Ms ROSOL - ...a refrain throughout your submission was assuming compliance. We've heard evidence from Tas Police today that there are problems with compliance and they, based on the checks that they've been doing, believe non-compliance is sitting around 25 per cent. Just wondering if you can comment on that as a non-compliance level. Given that all of your comments and recommendations are based on assuming compliance, we've heard evidence that there's not compliance. So, how would you respond to that?

Dr McSHANE - I think you're more likely to have non-compliance when you've got perceived draconian regulations in place. A size limit of 35 centimetres - I keep on coming back to this because it's such a drastic measure that, in order to get to 35 centimetres, a flathead has to be in the water for 10 to 15 years and it will be a female flathead. It's just that approach - it requires that people are aware of their responsibilities to conserve the fish. If you can't catch a 35-centimetre flathead and you're throwing away 34, 33, 32 [centimetre] fish that were previously legal-sized fish, then there's going to be temptation to keep those fish because they want to bring something home for dinner. I'm only assuming that, but compliance has been a problem in the past and will no doubt be a problem in the future unless supported by appropriate education programs, peer pressure and effective compliance.

...

⁸⁶ Prof. Sean Tracey, Institute of Antarctic and Marine Studies, Transcript of Evidence, 10 June 2026, p. 7.

⁸⁷ Dr. Jeremy Lyle, Transcript of Evidence, 10 June 2026, p. 51.

Mr JAENSCH - Can I just confirm when you've referred in here to the size limits being sufficient themselves to protect the species, are they the same limits that you are now saying are draconian and unlikely to be complied with?

Dr McSHANE - Well, yes.

Mr JAENSCH - So you need something else?

Dr McSHANE - Well, I think that I've suggested, you know, for argument's sake, a size limit of 32 centimetres, which - in setting a size limit, you've got to trade off the weight with the probability that the fish is going to live for that long to reach that size. If you've got a situation where fish are dying of old age before they reach the minimum size, then you're in effect wasting that fish. But if you have the size limit too low then you're affecting the reproductive potential of the population. In the present situation, you've got at least seven years of reproductive potential before that female enters the fishery. Males never get to that size, so again, I think a review where you examine the management tools and the objective of rebuilding the fishery linked to those management tools is a sensible way to go.⁸⁸

2.79 Mr John Stanfield of RecFishTas provided his perspective on the minimal impact of police compliance and enforcement activities:

Mr STANFIELD - ... Compliance and enforcement have been raised by a few people in their submissions, but I fish about 120 days a year. I access the closed area from South Arm, Cremorne, Lewisham, Dodges Ferry, Murdunna, and White Beach. I also access three ramps on the Derwent River, and I've been checked once by police in the last 12 months. Enforcement is pretty much non-existent and - let me tell you, if you leave the gate open, things are going to get out - unless there is a police presence or a presence checking people for compliance with the rules that are in place then we are always going to run the risk of non-compliance. Basically, the police presence on the water gives no deterrent for people to break the rules.

Ms FINLAY - Do you mind if I ask some questions on compliance there? The landing whole. Do you have a comment about the new -

Mr STANFIELD - From a compliance point of view, if you've got to land a fish whole, then there's no question of size because you can measure the frame or the whole fish when you get to the boat ramp. I think boat ramps - because most people will access the fishery from trailer boats - they're going to have to launch and retrieve, particularly retrieve. If the police are there then, 'Show us your catch.' If you show fillets, then it's particularly difficult to understand what size. You can count them and get an understanding of how many fish there were, but as much as I don't like retaining frames, I think it's a reasonable measure as a compliance form.⁸⁹

⁸⁸ Dr. Paul McShane, Global Marine Resource Management Pty Ltd, Transcript of Evidence, 9 June 2026, pp. 73-74.

⁸⁹ Mr. John Stanfield, RecFishTas, Transcript of Evidence, 10 June 2026, pp. 19-20.

- 2.80 Mr Julian Harrington, Chief Executive Officer of Seafood Industry Tasmania, provided a commercial perspective on ensuring compliance:

Ms FINLAY - One of the other topics of conversation for this Committee has been compliance and the impact of compliance. Obviously, you're speaking today from a commercial perspective, but do you have any comments to make around compliance? Not necessarily compliance specific to recreational sand flathead, because that's not your area, but just in general: resourcing, application, engagement, consultation, you know, any general comments about compliance?

Mr HARRINGTON - ...for the commercial sector, reporting catch returns, quota dockets are all a very important part of compliance and ensuring the commercial sector are abiding by the rules and the laws, and we have long advocated for the digitisation of that process rather than an Australia Post snail mail transfer of data and information. So you know, to me, an investment in digitisation of reporting would aid compliance. More broadly, the industry support police on the water, support compliance, support people doing the right thing; the rules are in place for a reason and people need to abide by those rules.⁹⁰

- 2.81 Ms Gallichan of TARFish provided evidence on how to reduce non-compliance in the sand flathead fishery:

Ms FINLAY - ...At the close of your opening piece, you had a list of things that would fix it. One of them around the compliance piece, I think it was the landing whole or with frames. Do you think that is all that is required to improve compliance or the understanding of compliance?

Ms GALLICHAN - No. There are three things that guide compliance. Fishers have to know that there is a problem and believe that there is a problem, so communicating around the stock assessment what's happening within the fishery is really, really important and have them believe it; because what happens is recreational fishers can go out and still catch a lot of sand flathead, so there's a real disconnect.

There's also an enduring belief that it is the responsibility of the commercial sector. You've got to try and triumph over those things first before you can get an overall belief that recreational fishers are contributing to the problem, and that's a really tough thing to do, and it's expensive to actually shift people's perception. I think that work needs to be done.

The other thing is, I certainly heard, when the bag limits changed, that people were increasingly filleting at sea: the police, when they were doing inspections, were telling the fishers that they can't prosecute them anyway for the species - whether it's tiger or sand, or size, because it's been filleted. That went like wildfire around social media very quickly and because there are relatively low levels of compliance checks, people have run the gauntlet, I

⁹⁰ Mr. Julian Harrington, Chief Executive Officer, Seafood Industry Tasmania, Transcript of Evidence, 10 June 2026, p. 32.

wouldn't deny that. I think there needs to be an understanding that there are consequences...⁹¹

Findings

1. The Tasmanian Government has repeatedly taken insufficient action in response to expert scientific advice in its management of the sand flathead fishery over more than 10 years.
2. The Tasmanian Government's lack of appropriate action on the sand flathead fishery has contributed to the ongoing deterioration of the fishery.
3. The current stock assessment framework for the sand flathead fishery is insufficient, and wild fisheries management decisions could be improved with more comprehensive data collection.
4. Recreational Fishing Surveys need to be undertaken more frequently than five-yearly.
5. There is consensus that the sand flathead fishery in south-east Tasmania is under pressure.
6. The Tasmanian Government employed the precautionary principle in its decision to close the sand flathead fishery in south-east Tasmania.
7. The Tasmania Government's decision to close the sand flathead fishery in south-east Tasmania was influenced by Tasmania Police compliance data.
8. Data sets for compliance monitoring of the sand flathead fishery are small and it is unclear how accurately they represent compliance across the fishery.
9. Compliance data for the sand flathead fishery could be improved by increasing resources to Tasmania Police.
10. Landing flathead whole or with frames intact improves the ability to undertake compliance monitoring.
11. Lack of education and communication of fishery health and management rules contributes to sand flathead fishery non-compliance.
12. A Fisheries Compliance Committee previously existed as a forum for the Department of Natural Resources and Environment Tasmania, Tasmania Police and commercial and recreational peak bodies to discuss compliance matters.

Recommendations

1. **The Tasmanian Government take more immediate action when presented with expert advice on Tasmanian fisheries.**

⁹¹ Ms. Jane Gallichan, Chief Executive Officer, TARFish, Transcript of Evidence, 10 June 2026, p. 48.

2. The Tasmanian Government funds more comprehensive stock assessment of, and data collection in, the sand flathead fishery.
3. The Tasmanian Government undertake annual Recreational Fishing Surveys.
4. The Tasmanian Government facilitate citizen science initiatives to increase recreational fisher engagement in monitoring of the sand flathead fishery.
5. The Tasmanian Government increase funding to Tasmania Police to improve fishing compliance monitoring.
6. The Tasmanian Government reinstate the Fisheries Compliance Committee and include the Department of Natural Resources and Environment Tasmania, Tasmania Police, and commercial and recreational peak bodies.

3. ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACTS OF THE CLOSURE

- 3.1 This Chapter outlines the evidence received on the environmental, social and economic impacts considered by the Tasmanian Government in determining whether to close, or not to close, the sand flathead fishery in south-east Tasmania.

Evidence received

- 3.2 The submission of the Department of Natural Resources and Environment Tasmania (NRE Tas) to the Committee described the environmental, social and economic impacts taken into consideration when making the decision to close the fishery:

Ultimately the decision to focus the strongest intervention toward the most depleted area was aimed at generating the greatest biological gain in the shortest time possible relative to social, economic and management costs, while preserving and maintaining access in stronger regions.⁹²

- 3.3 In its submission, Environment Tasmania stated:

A healthy marine environment underpins Tasmania's social, cultural and economic wellbeing... While the closure has short-term impacts, these must be weighed against the long-term consequences of inaction. Earlier, more precautionary management may have reduced the need for such a significant intervention.⁹³

- 3.4 At the 9 June 2026 public hearing, Mr Jason Jacobi, Secretary of NRE Tas, emphasised the risk of irreversible impact of overfishing the fishery and the need to act:

***Mr JACOBI** - ... Where there is risk of serious or irreversible damage, we must act even where uncertainty remains, because without a functioning stock there is no fishery, there is no economic benefit and there is no future for the next generation.⁹⁴*

- 3.5 In its submission, TARFish provided its position on whether the impact of a closure was considered stating that “no social and economic assessment had been undertaken:”

To blindsides recreational fishers and the businesses that rely on them is poor governance and government.

It was confirmed by the Government that no assessment has been undertaken and there is no intention of doing so and that impacts “will be

⁹² Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 25.

⁹³ Submission No. 3, Environment Tasmania, p. 2.

⁹⁴ Mr. Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 9 June 2026, p. 4.

monitored” – this is cold comfort to businesses that are expecting significant business impacts including job losses and significant reductions in turnover.⁹⁵

Environmental impact

- 3.6 In its submission to the Committee, NRE Tas outlined its assessment of the environmental impact of not taking action:

The Tasmanian Scalefish Fishery Ecological Risk Assessment, published 2016, identified that heavy fishing pressure on sand flathead in inshore and estuarine waters represented a medium risk to the trophic structure of these systems. The assessment indicated that sand flathead are a key predator species in the inshore ecosystem and selective depletion from recreational fishing may have a flow on impact on ecosystem function.⁹⁶

- 3.7 The submission stated that despite the inability to fully consider ecological impacts resulting from serial depletion, the Living Marine Resources Management Act 1995 (Tas) (LMRMA) enshrined sustainability:

Consideration of ecological impacts resulting from the depletion of a fish species is often highly limited in fisheries management. This is largely due to the lack of knowledge and resources available to understand the complex and specific ecological relationships. It is, however, understood that serial depletion of any common fish species is likely to result in changes to the ecological functioning of any particular species. This general principle guides the need to manage fisheries sustainably and is enshrined in the objectives of the LMRMA.⁹⁷

- 3.8 TARFish expressed concerns about how the closure may affect other species in the closed fishery area:

TARFish has flagged for some time the risk in the South East from displaced effort onto other key consumptive species such as calamari and striped trumpeter.

TARFish notes the Government’s efforts to encourage “mixed bag” fishing and promotion of species not traditionally considered as an “eating fish.”

With no monitoring of recreational effort, particularly for calamari and striped trumpeter, it is unclear how impacts will be monitored.⁹⁸

- 3.9 In its submission, the Institute for Marine and Antarctic Studies (IMAS) stated that environmental pressure had resulted in alterations to the biology of sand flathead:

IMAS has produced research relevant to both the environmental and social dimensions of the Sand Flathead fishery. Biological evidence indicates that prolonged fishing pressure has reduced size and age structure, spawning

⁹⁵ Submission No. 9, TARFish, p. 11.

⁹⁶ Submission No. 6, Department of Natural Resources and Environment Tasmania, pp. 25-26.

⁹⁷ Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 26.

⁹⁸ Submission No. 9, TARFish, p. 6.

potential, and stock resilience in depleted regions, particularly south-east Tasmania (Krueck et al 2025). These outcomes are relevant environmental considerations because they affect long-term sustainability and the stock's capacity to rebuild and remain productive.⁹⁹

- 3.10 Dr Jeremy Lyle submitted that fishing pressure was only one aspect impacting sand flathead population traits:

Fishing pressure is not the only factor that is likely to influence the expression of population traits, with environmental factors including climate change likely but in this case difficult to account for given the reliance on equilibrium-based models. In the Tasmanian context, it is worth noting that IMAS argue that environmental factors have impacted stock recruitment and productivity in rock lobster such that the stocks may never recover to pre-fishing levels. Downward adjustments (15%) have been proposed when referencing standard biomass and reproduction targets for that species (NRE 2026). Commonwealth fisheries assessments have also moved to consideration of vulnerability and impacts of climate change (e.g. Fulton et al. 2021, AFMA, 2024) and, for several assessed stocks, return to pre-fishing levels even in the absence of fishing now appears unrealistic.¹⁰⁰

- 3.11 Dr Paul McShane of Global Marine Resource Management Pty Ltd considered the effect of climate change in compounding these pressures:

Other than effects of fishing, there is evidence of strong environmental influences on the population biology of sand flathead. It is likely that changes in growth, reproduction and survival will occur with climate change given that waters off the east coast of Tasmania are a global warming hot spot.¹⁰¹

- 3.12 Dr McShane expanded on the impacts of climate change on the sand flathead fishery at the 9 June 2026 public hearing:

Ms ROSOL - ...in your submission you refer in a couple of places to climate change and the impacts of climate change and the warming waters on sand flathead biology. What are the impacts of climate change and warming waters on sand flathead?

Dr McSHANE - There's been a lot of work, and it's ongoing work, by CSIRO, and I was also involved in advising the Commonwealth on fisheries management, and we now have information on the status of the stock alongside information on the trajectory of climate change. We're in a region which is warming four times greater than the international average, and we've got some serious concern about fish now. On the basis of the available information on flathead - not sand flathead, but flathead, so tiger flathead, because that's a Commonwealth fishery - it doesn't appear that climate change is going to have a substantial impact compared with other species of fish which are now not only overfished, but aren't recovering even though there have been drastic management changes. We think that's because of

⁹⁹ Submission No. 8, Institute for Marine and Antarctic Studies, p. 4.

¹⁰⁰ Submission No. 4, Dr. Jeremy Lyle, p. 4.

¹⁰¹ Submission No. 5, Dr Paul McShane, p. 6.

climate change. Superimposed on all the things that we have to consider, particularly fishing mortality by people overfishing a fishery and then the management instruments that we have to control that, we have to contend with climate change.¹⁰²

- 3.13 Professor Sean Tracey of IMAS was also asked his opinion on the role of climate change in contributing to environmental pressure:

Ms ROSOL - ... yesterday we talked a little bit about the impacts of climate change on sand flathead and I'm wondering what the evidence is around the impact on growth or on reproduction? What evidence do we have about the impact of climate change and warming waters?

Prof TRACEY - Very little on sand flathead, I wouldn't disagree with Dr McShane's summary of that yesterday. They are quite a resilient species. We are doing some physiological work at the moment trying to assess whether that latitudinal difference, the big fish at the Furneaux Group, whether that's a temperature-based growth thing or a genotypic thing that they have been so lightly fished that... their population hasn't been affected by fishing. The latitudinal gradient starts to break down when you then go back up into Victoria and we've done the genetic work to show that they are the same stock, but they again have small fish, which would suggest that it is fisheries impact or, as Dr McShane mentioned, it could be a fisheries density impact that there are so many fish; but knowing the rate of fishing in there, I would suggest it's probably not the case. I think they also probably have a stunted population.¹⁰³

Social impact

- 3.14 The Honourable Gavin Pearce MP, Minister for Primary Industries and Water, in his submission to the Committee stated that:

*From a social and recreational perspective, the Government recognises that sand flathead is Tasmania's most important recreational fishery. The South-East fishery has been characterised by declining fishing quality for some time, with IMAS social research indicating growing dissatisfaction among recreational fishers with the state of the fishery and broad recognition that recovery will require reduced fishing pressure.*¹⁰⁴

- 3.15 In its submission, NRE Tas stated “in considering the impacts of the fishery closure, the Department was acutely aware of the social importance of the species to Tasmanian social values.”¹⁰⁵ Moreover, Mr Jacobi gave evidence

¹⁰² Dr. Paul McShane, Global Marine Resource Management Pty Ltd, Transcript of Evidence, 9 June 2026, p. 72.

¹⁰³ Prof. Sean Tracey, Interim Co-Executive Director, Institute of Marine and Antarctic Studies, Transcript of Evidence, 10 June 2026, p. 8.

¹⁰⁴ Submission No. 7, Hon. Gavin Pearce MP, Minister for Primary Industries and Water, p. 3.

¹⁰⁵ Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 26.

that “it is almost viewed – well, it is viewed as a tradition, as a culture in Tasmania, to fish for flathead.”¹⁰⁶

3.16 At the 9 June 2026 public hearing, Minister Pearce stated:

Mr PEARCE - ... Recreational fishing is important in Tasmania, and particularly sand flathead. It holds a special place in the hearts of Tasmanians. It's part of our lifestyle, it's part of our community, and it's a shared identity. I recognise that this issue, for many Tasmanians, is one that they care very deeply about - and I mean that - and that there's a diverse and a sincerely held view on how to best manage that fishery.¹⁰⁷

3.17 TARFish gave evidence on the importance of the social dimension of the sand flathead fishery in south-east Tasmania, particularly for children, and the impact of the closure decision:

One of the core reasons TARFish has advocated for maintaining some access to this fishery is because it is the first fish most kids learn to catch.

From the Report “A survey of recreational fishers focusing on perceptions of stock status and management of sand flathead” (Tracey et al, 2023), thirty percent of respondents indicated that they would not go fishing if they could not catch as many flathead. With no information on length of closure only estimates given by IMAS in 2023 that “recovery” is likely to be in the order of 4-6 years (which is very uncertain) we risk losing the current generation of children from participating in fishing – not just for sand flathead but all fishing.

*TARFish considers this to be an unnecessary and punitive outcome that impacts a specific cohort of children.*¹⁰⁸

3.18 Ms Jane Gallichan, Chief Executive Officer of TARFish reinforced this position at the 10 June 2026 public hearing:

Ms GALLICHAN - One of the core reasons TARFish has advocated for maintaining some access to this fishery is because it is the first fish most kids learn to catch. From Sean Tracey's report, which was a survey of recreational fishers of sand flathead, 30 per cent of respondents indicated that they would not go fishing if they could not catch as many flathead. We've heard that the fishery may be closed for five years or more, so we risk losing the current generation of children from participating in fishing: not just sand flathead, but all fishing. This is a serious problem, but it is easily solved. Reopening the fishery in the south-east with a bag limit of two fixes the problem; or consider

¹⁰⁶ Mr. Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 9 June 2026, p. 12.

¹⁰⁷ Hon. Gavin Pearce MP, Minister for Primary Industries and Water, Transcript of Evidence, 9 June 2026, p. 32.

¹⁰⁸ Submission No. 9, TARFish, p. 5.

*allowing fishing from the shore or jetties, or other management that supports kids to go fishing, fixes the problem.*¹⁰⁹

- 3.19 In its submission to the Committee, RecFishTas gave its perspective on the impact of the closure decision:

The closure has imposed significant social and economic consequences.

Recreational fishing is not merely leisure. For many Tasmanians it is part of household food security, family tradition, mental wellbeing, and cultural identity.

...

The closure also disproportionately affects fishers who rely on sheltered inshore waters, including older Tasmanians, families with children, and those with smaller vessels unable to safely access offshore alternatives.

These impacts should have been transparently assessed before closure.

*RecFishTas submits that future fishery closure decisions should require formal social and economic impact assessments before implementation.*¹¹⁰

- 3.20 Professor Caleb Gardner spoke to the Committee about the concept of diminished marginal utility and the recreational benefits of the fishery:

Prof GARDNER: - ...The big difference about recreationals is this term, 'diminished marginal utility'. The thing about what that means is a recreational fisher gets a lot of pleasure out of the first fish they catch, and it's sort of a disaster if they catch nothing that day. The first fish is really great. That's the one that they take pictures of and high-five. The second one, not so much. By the time they get to the thirtieth fish, they're sick of it. Whereas, for commercials, it's the same price for the first fish versus the last fish.

What that all means for recreational fisheries is it is much better to have recreational fisheries that have got really high levels of stock. That's why it's all good that we're rebuilding, because then people don't have days where they don't catch a fish. But it's also really good to have fisheries where people can at least catch one fish or two fish, rather than zero fish, because that's where they get this really high marginal utility. That's what we're managing this fishery for, is fun. It's not the price, which we would have in a commercial fishery. It's about that fun, that enjoyment, so you maximise that on that very first fish.

Right to the nub of this issue: you would maximise the utility to the Tasmanian community by allowing this fishery to continue having a very small catch. At least people can catch one fish, get their photo and their high-five and the kids are happy, and to allow rebuilding [to] continue for several years

¹⁰⁹ Ms. Jane Gallichan, Chief Executive Officer, TARFish, Transcript of Evidence, 10 June 2026, p. 37.

¹¹⁰ Submission No. 1, RecFishTas, p. 6.

*rather than you have this certain loss of utility for several years while stock rebuilding occurs.*¹¹¹

3.21 TARFish also emphasised this concept before the Committee:

Ms GALLICHAN: - ...diminishing marginal utility is the term used by Caleb Gardner, diminishing marginal utility after the first fish. Put simply, rec fishers get most enjoyment from the first fish and it erodes thereafter, so a low bag limit that still allows high fishing utility. In the same way that the Inland Fisheries Service has lakes with really low bag limits, fishers will still travel to and fish those lakes even though they may only be able to take one fish. It can be summed up like this: our first fish is our favourite fish, and that's important because sand flathead is typically the first fish we learn to catch. It's how people become fishers in Tasmania.¹¹²

3.22 In its submission to the Committee, IMAS shared its human dimensions research into sand flathead which showed its social importance to recreational fishers in Tasmania:

*IMAS human dimensions research demonstrated that Sand Flathead is highly valued socially as an accessible family fishery and an important entry point to recreational fishing in Tasmania. However, the same research also identified widespread concern regarding declining fishery quality (Tracey et al 2023), with fishers commonly reporting smaller fish, reduced catch satisfaction, and increasing difficulty catching legal-sized fish, particularly in south-east Tasmania. These findings are consistent with the biological assessments (Krueck et al 2025) and indicate that declining stock condition had already reduced the social amenity and recreational value of the fishery prior to management intervention.*¹¹³

Economic impact

3.23 In its submission, NRE Tas noted that “modelling of impacts is not possible due to significant uncertainties and factors that are not possible to quantify with certainty.”¹¹⁴

3.24 However, NRE Tas outlined the economic contribution of recreational fishing in Tasmania:

It is acknowledged that recreational fishing contributes to Tasmania's economy through expenditure on servicing businesses such as boating and tackle stores.

Recreational fisheries generate value, largely through participant expenditure on goods and services such as boats, fuel, bait, accommodation, licences, and tourism. The economic importance of recreational fishing therefore lies in local and regional economic activity...

¹¹¹ Prof. Caleb Gardner, Transcript of Evidence, 10 June 2026, p. 61.

¹¹² Ms. Jane Gallichan, Chief Executive Officer, TARFish, Transcript of Evidence, 10 June 2026, p. 37.

¹¹³ Submission No. 8, Institute for Marine and Antarctic Studies, p. 4.

¹¹⁴ Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 32.

Importantly, the closure of the sand flathead fishery in the south-east does not prevent recreational fishing in the south-east, and the Department is actively providing education to support recreational fishers target other species. In theory therefore, there is no impediment or economic loss other than removing the ability to 'take home' a sand flathead. Furthermore, there are a number of other species that people can target in the area and the Department is encouraging a deliberate move to alternatives. The rule changes therefore do not prevent a viable recreational fishery in the south-east.

No specific evidence of economic hardship has been received by the Department since the closure of the fishery in the south-eastern zone took effect.¹¹⁵

- 3.25 In its submission, IMAS stated that it had not undertaken any formal economic impact assessment:

*IMAS has not undertaken a formal economic impact assessment comparing closure and non-closure scenarios and therefore cannot provide a quantified economic evaluation under this Term of Reference. IMAS can note, however, that both continued stock decline and management restrictions have the potential to generate economic impacts for sectors associated with recreational fishing, and such matters are typically considered through broader government processes.*¹¹⁶

- 3.26 TARFish highlighted the economic impact of the closure decision in its submission asserting that:

Businesses that are likely to be impacted are; tackle shops, charter operators, boat resellers, wholesalers and the businesses in regional towns that support recreational fishing (petrol stations etc).

At TARFish's request, Minister Pearce, met with several affected businesses following his decision. One business owner observed that the negative impact on his business this year was already greater than the government's total investment in sand flathead recovery.

In addition, TARFish's consultation with affected business has revealed:

- Charter Boat operator that has already experienced a 35% downturn following the reduction to 2 sand flathead. The business owner is uncertain as to the longterm impact of the closure.

- For tackleshops, the reduced bag limit to 2 in the south east has already impacted turnover by between 6-10%. It is expected that the closure will reduce this further and is likely to have an impact on employment.

¹¹⁵ Submission No. 6, Department of Natural Resources and Environment Tasmania, pp. 32-33.

¹¹⁶ Submission No. 8, Institute for Marine and Antarctic Studies, pp. 4-5.

- For boat re-sellers, there has been a significant and immediate impact including cancelled orders with a retail value of over \$500,000.¹¹⁷

- 3.27 Mr John Stanfield of RecFishTas gave evidence of the economic scale of recreational fishing in Tasmania and stated that the sector should be consulted and involved in decisions that affect it:

Mr STANFIELD - The economic movement within Tasmania is widely reported to be around \$270 million associated with recreational fishing in Tasmania. It includes retail sales of tackle, boat, trailers, maintenance, and repairs. Suffice to say that that's a significant contribution from the recreational sector and with that contribution, deservingly, we should have a higher level of influence on decisions that are made.¹¹⁸

- 3.28 In its submission, TARFish also cited a report from the Australian Bureau of Agricultural and Resource Economics and Sciences (ABARES) and asserted:

*...recreational fishing in Tasmania...supports 2,670 jobs. Importantly, recreational fishing spreads city dollars into rural areas, highlighting the importance of fishing as a way of generating economic activity in regional areas.*¹¹⁹

- 3.29 Ms Gallichan of TARFish gave evidence on the economic impact on the local business community:

Mr JAENSCH - If I may, just again on your constituency, you mentioned a number of other representative groups that sit under your structure, or that you are a federation of, in some ways, charter, sport fishing, game and others. It strikes me that flathead might not be their central target, for game fishing, et cetera, and I know that sport fishing is one thing and game fishing charters are slightly different, yet a lot of this discussion is about families and small boats and beaches and things like that. I'm sort of gathering that there are a couple of elements to the arguments that you're putting: one is about this fishery itself, and the decisions made about it; the other is about what are the processes and tools we use, which are used for all these other fisheries that our members are involved with. There is more of a system question above that. Would that be correct?

Ms GALLICHAN - I think that's fair.

Mr JAENSCH - Okay. Because amongst your - you have people there whose organisations aren't flathead focused. There are others as well.

Ms GALLICHAN - What I would like to say about that is the Australian Fishing Trade Association has a membership that includes boat resellers, tackle shops, and obviously the sea charter boat operators. We know that in the southern independent fishing tackle shops, they have had an impact of

¹¹⁷ Submission No. 9, TARFish, pp. 5-6.

¹¹⁸ Mr. John Stanfield, RecFishTas, Transcript of Evidence, 9 June 2026, p. 19.

¹¹⁹ Submission No. 9, TARFish, p. 1.

around 6 to 10 per cent downturn in turnover as a result of the closure. Mr Flathead, who is a charter operator, has estimated a 35 per cent downturn, and also one of the boat resellers has indicated, as recently as a fortnight ago, that has not sold a single tinnie since the changes to sand flathead rules have come in; still selling the bigger boats, the game fishing boats, but those entry-level vessels just aren't selling anymore.

Mr JAENSCH - And can they separate those from other trends and factors in the market, like fuel prices or other things that might –

Ms GALLICHAN - That's one of the things that, and I will refer to the tackle shop example, because I had exactly the same question: how do you actually determine it, and largely, it's around the tackle. So, for example, Spot On Fishing, which is just down the road, they sell entry-level rod-and-reel combinations, which are largely, predominantly used to target sand flathead. They would sell hundreds and hundreds and hundreds of these things every year. They're not selling any anymore, and that's why we're concerned about kids having the opportunity to have those entry-level fishing opportunities.¹²⁰

Findings

13. Deterioration of the sand flathead fishery has caused negative environmental, social, and economic impacts.
14. The closure of the sand flathead fishery in south-east Tasmania has positive environmental benefits but it also has negative social and economic impacts.
15. The Tasmanian Government did not model the economic impact of closing the sand flathead fishery in south-east Tasmania and has not undertaken any assessment to date.
16. The promotion of mixed bag fishing encourages different fishing choices, with the aim of mitigating the loss of amenity in the sand flathead fishery as a result of the rule changes.

Recommendations

7. **The Tasmanian Government continue to promote mixed bag fishing and encourage the targeting of underutilised species.**
8. **The Tasmanian Government actively monitor and manage the impacts of the transfer of fishing pressure on to other depleted and depleting species, such as calamari, jackass morwong, and bastard trumpeter.**
9. **The Tasmanian Government undertake social and economic impact modelling or assessments on all future fishery closure decisions.**

¹²⁰ Ms. Jane Gallichan, Chief Executive Officer, TARFish, Transcript of Evidence, 10 June 2025, pp. 40-41.

4. CONSULTATION AND CONSULTATIVE PROCESSES

- 4.1 This Chapter considers the consultation and consultative processes undertaken by the Tasmanian Government to inform the public, particularly recreational fishers in and around south-east Tasmania, prior to the decision to close the sand flathead fishery.

Evidence received

- 4.2 The Committee received evidence from the Department of Natural Resources and Environment Tasmania (NRE Tas) regarding the Government's consultation and consultative processes:

The LMRMA [Living Marine Resources Management Act 1995 (Tas)] includes provisions for consultation and representative stakeholder organisations. Representative stakeholder organisations are known as certified fishing bodies. They are subject to Ministerial certification under section 25 of the LMRMA. There are two certified fishing bodies relevant to the sand flathead fishery:

- *Tasmanian Association for Recreational Fishing (TARFish); and*
- *Seafood Industry Tasmania (SIT).¹²¹*

- 4.3 NRE Tas outlined its consultation with the representative bodies:

In early February 2026, the Department wrote to the relevant fishing bodies (being the peak bodies TARFish and SIT) outlining the proposed management changes and providing a consultation period until 19 February 2026. Through this period the Department provided TARFish and SIT with the rationale for the proposed change. This provided an opportunity for certified fishing bodies to respond. Responses were received from both SIT and TARFish.¹²²

- 4.4 In his submission, the Honourable Gavin Pearce MP, Minister for Primary Industries and Water, stated that engagement was undertaken by NRE Tas in an appropriate manner:

The LMRMA, and its subordinate legislation, sets out expectations on how stakeholders and the community are to be consulted prior to fisheries management decisions being made. The processes followed for the recent management decisions meet and exceeded those expectations.

The closure decision was made in the context of extensive consultation undertaken over several years. The Department of Natural Resources and Environment Tasmania and the Government have engaged recreational fishers, recognised fishing bodies and the wider community through multiple management reviews, targeted consultations, and initiatives such as Flathead for the Future.¹²³

¹²¹ Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 11.

¹²² Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 37.

¹²³ Submission No. 7, Hon. Gavin Pearce MP, Minister for Primary Industries and Water, pp. 3-4.

4.5 NRE Tas, in its submission, outlined the background to the consultation they undertook with the certified fishing bodies TARFish and Seafood Industry Tasmania (SIT):

A key component of consultation undertaken by the Department to understand how rule changes will affect stakeholders, is engagement and consultation with certified fishing bodies. These bodies are tasked with understanding and communicating fisheries management changes to their members, and communicating these to the Department for consideration.

Focused consultation with certified fishing bodies regarding management of the stock has been ongoing since concerns about the stock were initially recognised in 2012. This consultation has included delivering scientific advice and information to fishing bodies to assist their understanding of the stock, working collaboratively in developing and delivering communication and engagement programs and materials, and consulting on proposed rule changes.

Consultation on proposed rule changes has been recorded in meeting minutes for relevant Fishery Advisory Committees (FACs). In most instances, where rule changes were proposed by the Department to reduce fishing pressure on the sand flathead stock, with the aim of preventing its further decline, the proposals were not supported by TARFish.

In 2023, the Department's published report on consultation of the proposed rules noted that "other management measures, such as partial or full fishery closures, may be implemented if recovery of the stock under these settings is not satisfactory".¹²⁴

4.6 NRE Tas's submission described its consultation for the closure in 2026:

In early February 2026, the Department wrote to the relevant fishing bodies (being the peak bodies TARFish and SIT) outlining the proposed management changes and providing a consultation period until 19 February 2026. Through this period the Department provided TARFish and SIT with the rationale for the proposed change. This provided an opportunity for certified fishing bodies to respond. Responses were received from both SIT and TARFish.

In subsequently determining the decision to close the south-east fishery, and introduce landing whole requirements statewide, the Department gave consideration to the specific responses from both certified bodies.

In response to the consultation opportunity afforded, TARFish provided a written representation to the Department.

It is noted that many of the matters raised in the TARFish submission have been previously actioned by the Department. For example, in October 2024, the Tasmanian Government announced and commenced work on a stock enhancement program for the fishery. This includes \$1.2 million program to be delivered by IMAS, commencing in 2026 (Appendix 1). Additionally, the

¹²⁴ Submission No. 6, Department of Natural Resources and Environment Tasmania, pp. 35-36.

Department has instituted a significant fisher stewardship program, which commenced in 2024 and is detailed in Section 4.7.1. Importantly, TARFish has been provided with funding to deliver fisher stewardship programs from 2025-2027...

The submission from TARFish and the information cited were fully considered by the Department in making a final decision.¹²⁵

- 4.7 Mr Jason Jacobi, Secretary of NRE Tas, gave evidence answering possible criticism of a lack of consultation of the decision to close the fishery:

Mr JACOBI - ... You may hear that this decision lacked consultation or came as a surprise; that is not consistent with my experience. Over many years, and most recently in 2025, we communicated the decline time and again, we received strong calls for action and we heard support for action, including closure if needed. So while concerns exist, I believe there is strong support from those who understand the fishery and its vulnerability. I would also note that the Department has invested significantly over time in communicating these regulatory changes and expectations to fishers; however, as management arrangements have become more complex, including through discrete area closures, or seasonal limits, or research zones, or transition arrangements and access restrictions, as this has been recommended by many, this ultimately leads to confusion within the fishery..¹²⁶

- 4.8 Ms Jane Gallichan, Chief Executive Officer of TARFish, stated that the organisation was unaware of the closure decision until the announcement was made:

Ms GALLICHAN - From the time of the stock assessment to the night before the announcement the Minister was closing the fishery, TARFish had no insight or awareness of a potential fishery closure, none. For recreational fishers, it's not just the decision that has been made, but the way that it has been made: sneakily, under the guise of an emergency, and without engagement with fishers and the businesses that rely on them. In the absence of policy, you have politics, which characterises the way this decision has been made politically.¹²⁷

- 4.9 The Committee asked Ms Gallichan to expand on the consultation received from the Minister and NRE Tas:

Ms FINLAY - ... There's been a lot of comment about the lack of consultation. It's been persistent in the witnesses. There was a suggestion either by the Minister or the Department yesterday that TARFish was adequately consulted and therefore should have shared in the communications around the closure. Can you just outline for the Committee any consultation that happened prior to the announcement around the closure of the sand flathead fishery?

¹²⁵ Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 37.

¹²⁶ Mr. Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 9 June 2026, pp. 3-4.

¹²⁷ Ms. Jane Gallichan, Chief Executive Officer, TARFish, Transcript of Evidence, 10 June 2026, p. 36.

Ms GALLICHAN - If I'm speaking to the period from when the stock assessment was published to 4 February when it was announced, the only correspondence that I had with the Department regarding sand flathead through that period, if my memory serves, is I received an email on 10 or 11 December and it was from a member of the communications team at NRE and they were about to do a Facebook post about the sand flathead stock assessment. In that Facebook post it said that sand flathead rules would be considered in the scalefish rules remake. I was invited to attend an IMAS meeting. So, there's the big sand flathead project on which the stock assessment was going to be discussed on 2 December. Unfortunately, due to a conflict, which is one of the inherent issues within my job, with another meeting which was actually on rock lobster, I didn't attend that, so I didn't receive a briefing on the stock assessment. My board also has not received a briefing on the stock assessment. So, the evening before the announcement, I was called into the Minister's office after 5 p.m., and I was given a verbal briefing. I was not given a parcel of information to take back, so I had to paraphrase that in email back to my board. I didn't receive the information until all parliamentarians had been briefed the following day.¹²⁸

- 4.10 The Committee then probed these statements, contrasting them with the evidence that was presented at the 9 June 2026 public hearing:

Ms ROSOL - ...I just want to follow up on that because when NRE came yesterday, they indicated that TARFish was contacted in early February and given 20 or so days to make a submission and did submit a written representation. To me, that sounds like consultation. I'm just curious what you would like in terms of consultation: what would be enough, what consultation are you looking for?

Ms GALLICHAN - There's the announcement of the decision and then the period between the decision and when it takes effect. What happens is the Minister advised that he was closing the fishery, and there is a statutory requirement for consultation under that, even though the decision had effectively been taken. The first response that I received is that section 50 of the Act was going to be used - the emergency provisions of the Act - which also says in the previous section that the Minister is satisfied that there is an emergency. So, there is an announcement of the closure and then an advertising campaign commenced about the closure. That tells you that in practice a decision has been taken already even though they are required to then consult. It is unlikely that a minister or their delegate is going to change a decision that they're currently advertising on television. Our argument is that the decision was actually taken on 4 February, but it was not put into effect, as in the closure of the fishery, until March.¹²⁹

- 4.11 The Committee further inquired into the issue of consultation with TARFish:

Ms ROSOL - Yesterday the Minister said that his office is in communication with TARFish every week. I think it was the Minister or was it NRE? Yesterday

¹²⁸ Ms. Jane Gallichan, Chief Executive Officer, TARFish, Transcript of Evidence, 10 June 2026, p. 39.

¹²⁹ Ms. Jane Gallichan, Chief Executive Officer, TARFish, Transcript of Evidence, 10 June 2026, pp. 39-40.

morning there was evidence saying that there were frequent conversations that happened with TARFish. Do you agree with that and how would you characterise those conversations? If Professor Tracey this morning has said there were lots of discussions and you're saying, we weren't part of those discussions, but NRE is saying yes, there are discussions with TARFish, how do you characterise those discussions with the Department and with the Minister?

Ms GALLICHAN - TARFish is responsible for engagement on every single fishery that this state has and also around the infrastructure as well. I'm having lots of conversations with a whole range of people within NRE. Regarding the communication with the Minister, I met with the Minister on the evening of the third [3 February 2026]. I received an email from his office the following day with some of the documentation that the parliamentarians had already received. I had a single conversation with the Minister - it was about a week or so ago - to advise him of the appointment of our independent chair, Bob Gordon. I hadn't had any contact with the Ministers office in the intervening period.

Ms ROSOL - Back to my question earlier: if there had been more consultation with you leading up to the decision, would you have supported it in that case?

Ms GALLICHAN - TARFish - I mean, we've already stated what our position is around retaining some access. It's an absolute hypothetical because of something that didn't happen. I don't feel comfortable saying what we would have or wouldn't have done in that instance because we simply weren't part of the conversation.¹³⁰

4.12 The Minister wrote to the Committee on 29 June 2026 and provided a timeline of consultation with TARFish:

...For the Committee's assistance, and for completeness I set out below a summary of relevant interactions with the CEO during February:

- On 3 February 2026 I met with Ms Gallichan, CEO of TARfish.
- On 4 February 2026 The TARfish CEO was provided with a copy of all documentation distributed at a parliamentary briefing by NRE Tas and arrangements made for a full briefing to the TARfish board on 10 February.
- On 6 February 2026 I received correspondence from the CEO of TARfish, to which I responded later that day.
- On 9 February 2026, I received further correspondence from the CEO. Subsequently, my office arranged for a meeting with TARfish, representatives of the Australian Fishing Trade Association (AFTA)

¹³⁰ Ms. Jane Gallichan, Chief Executive Officer, TARFish, Transcript of Evidence, 10 June 2026, pp. 43-44.

and Boating Industry Australia (BIA), held in Launceston on 17 February 2026.

- On 17 February 2026, I met with the TARfish CEO, representatives of AFTA, BIA, and NRE Tas. Participants included organisational leaders as well as Tasmanian retail business owners from the tackle and boating sectors.
- Following the 17 February meeting, I provided the TARfish CEO with a written response to her correspondence of 9 February 2026.
- On 1 March 2026, the relevant rules came into effect.

These meetings appear in routine diary disclosure records, which are publicly available at:

<https://www.dpac.tas.gov.au/government-information/rti/routine-disclosures>

I also note that, in addition to the engagements outlined above, TARfish had multiple interactions with NREtas during this period...¹³¹

4.13 The Committee asked NRE Tas about its role in communicating with the public:

Mr JAENSCH - ...My question is: you made reference to the role of the recreational fishers groups in consultation and communications. Who is the official representative body that you engage with and what has been their role so far?

Dr MIDSON - In terms of recreational fishing, TARFish is the certified body. Under the LMRMA there's a process for the Minister to certify fishing bodies as being representative of a particular sector, so TARFish is that for the recreational fishing sector. We have a very productive relationship with them. TARFish receive a number of grants around various things, including fisher stewardship. We engage with them quite regularly on how they do that and they've been heavily involved in the preparation for a rebuilding plan on sand flathead, for example. We continue to meet with TARFish very regularly and we work together on a range of engagement activities, including communicating about how we're going to engage, how they're going to engage in the different messages that we will be sharing.¹³²

4.14 Dr David Midson of NRE Tas gave evidence on the Department's role in direct engagement:

Dr MIDSON - TARFish have their own engagement program where they communicate, but in general, I would say for recreational fishing we have a very strong direct engagement approach as well, through our Fishing Tas

¹³¹ Letter from Hon. Gavin Pearce MP, Minister for Primary Industries and Water, dated 29 June 2026, p. 1-2.

¹³² Dr. David Midson, General Manager (Marine Resources), Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 9 June 2026, p. 17.

website, the Fishing Tas social media, and newsletter, which goes back to that database of recreational fishing licence holders - of course, that's for abalone and rock lobster and some various other things. But we engage very heavily directly. We also get a number of queries in. We do also support TARFish to have that engagement with fishers. Sometimes it will depend a little bit on the message as well. Sometimes the message is best placed in partnership with TARFish or others, sometimes it's best direct from government and sometimes it's best for TARFish to take the lead.¹³³

- 4.15 Ms Gallichan stated that TARFish have consistently requested a greater level of communication from the Department with the public on the rules:

Ms GALLICHAN - ... TARFish, for a number of years, has requested NRE focus their communication and engagement efforts on communicating the need for the rules, communicating the specific rules, and communicating the outcome if the rules are not complied with.¹³⁴

- 4.16 In its submission, TARFish asserted that it did not feel that consultation from NRE Tas was genuine:

It is our view that consultation with TARFish, as the government recognised peak body, is not genuine consultation, and that attempts [to] consult, occurring after the decision had been made, is merely perfunctory, and cannot inform or impact on the decision.

Further, the Departmental "Public engagement and Consultation Policy" (September 2025) states under the principles that "we will listen with an open mind," and that "We will provide sufficient information in a way that helps stakeholders to know how to make meaningful contributions." It is difficult to see that it is possible to comply with these principles given the decision was already made and the most basic of information, was only provided, with a significant lack of detail, after repeated requests days after the decision was made.¹³⁵

- 4.17 RecFishTas submitted that the consultation undertaken by NRE Tas was inadequate and cause for concern:

The consultation process surrounding this closure is one of the most serious concerns raised by the recreational fishing community.

The Tasmanian Government has pointed to broader consultation undertaken during the 2025 Scalefish Rules Remake process. However, RecFishTas submits that this does not amount to targeted, transparent, issue specific consultation on the effective closure decision itself.

¹³³ Dr. David Midson, General Manager (Marine Resources), Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 9 June 2026, pp. 17-18.

¹³⁴ Ms. Jane Gallichan, Chief Executive Officer, TARFish, Transcript of Evidence, 10 June 2026, p. 35.

¹³⁵ Submission No. 9, TARFish, pp. 6-9.

A closure of this scale affecting thousands of fishers, families, and small businesses required a specific consultation process addressing the closure (zero bag limit) itself before implementation. That did not occur!

Many members of the recreational fishing community felt excluded from a decision that directly affects their livelihoods, recreation, food security, family traditions, and cultural connection to Tasmania's marine environment.

The zero bag limit, and associated zero possession limit, and the statutory requirement to land sand flathead either whole or with fish frames, was never put forward for stakeholder consultation. The smoke screen of consultation was done as part of the remake of the Fisheries (Scale Fish) Rules. This was never put forward for consultation under this process. No Regulatory Impact Statement (RIS) was prepared and it is assumed that no exemption from the need to prepare an RIS was issued. If and [sic] exemption was issued, then the grounds for this have never been made publicly accessible. RecFishTas believes that a RIS process should have been a statutory requirement give [sic] the economic impacts the 'closure' of the Sand Flathead has had on industry and the wider recreational fishery stakeholder.

RecFishTas submits the Committee should assess whether the process followed complied with Tasmanian best practice consultation standards and whether future fisheries 'emergency' actions should be subject to minimum consultation safeguards even where urgent intervention is contemplated.¹³⁶

4.18 Dr Jeremy Lyle commented on the limited nature of consultation:

To my knowledge there has been limited to no direct consultation with stakeholders to discuss the assessments, their implications and potential management responses prior to announcing the closure.

The 2025 stock assessment was published in Nov 2025 and the decision to close the fishery was apparently discussed amongst managers and researchers without stakeholder involvement or the benefit of external independent peer review. The Ministerial announcement, along with comms packages (including TV ads), was communicated in early 2026 just prior to the closure's implementation.

Some justification for such drastic management action without consultation may well link to a 2023 IMAS survey of flathead fishers where the vast majority of respondents agreed that swift and appropriate management action was required (Tracey et. al 2023). Ironically, the least supported of the hypothetical management measures canvassed by the survey was a scenario to reduce the BL [bag limit] to 5 and increase the MLS [minimum legal size] to 35cm. Long-term fishery closure was not offered as a potential option and I suspect was not considered by fishers to be a realistic "swift and appropriate" management option, especially so soon after the Nov 2023 rule changes.¹³⁷

¹³⁶ Submission No. 1, RecFishTas, p. 3.

¹³⁷ Submission No. 4, Dr. Jeremy Lyle, p. 5.

- 4.19 Dr Paul McShane submitted that many of the issues surrounding lack of consultation could be dealt with if an appropriate harvest strategy was implemented with a requirement to consult:

Linking the recreational fishing community to science providers and fishery managers is consistent with recognised best practice in co-management. Other jurisdictions have management advisory committees comprising scientists, managers, and representatives of fishery sectors (commercial, recreational). Such committees consider assessment outcomes, typically linked to performance indicators and harvest control rules in harvest strategies, to discuss implications for fishery management. Surprisingly, given the gravity of the fishery closure enacted for sand flathead, there was evidently little, if any, consultation with stakeholders including the peak body representing Tasmanian recreational fishers (TARFish). Many of the issues raised here could have been discussed in the context of the available information and management options as they presumably will be in this parliamentary inquiry.

Development of a harvest strategy for sand flathead, with input from relevant stakeholders, is a necessary prerequisite to sustainable fisheries management. Consultation ensures that considerations other than science, including social, economic, and practicalities of management options inform the harvest strategy (Fowler et al. 2022,2023). Performance indicators linked to appropriate reference points follow from appropriately designed monitoring programs. Harvest control rules that are clearly understood and endorsed by stakeholders in a consultative process provide clarity in linking monitoring to management decisions. The harvest strategy should also recognise the considerable social and economic benefits arising from recreational fishing and provide for a satisfactory experience for recreational fishers consistent with sustainable management (Fowler et al. 2022, 2023).¹³⁸

- 4.20 In its submission to the Committee, Environment Tasmania asserted that strong consultation was needed and that there was room for improvement:

Clear, transparent and ongoing engagement with stakeholders is essential in fisheries management.

Where stock declines are identified early, timely communication about potential management responses, including the possibility of closure, can help build understanding and trust. Without this, decisions can feel abrupt, even where they are necessary. These decisions also need to be underpinned by robust science which can assist in implementing meaningful, effective measures.

While extensive consultation was undertaken in 2023, no clear management plan—outlining key indicators, decision triggers, and potential actions (such as a closure) was developed. Feedback from this process, which showed strong support for a closure, could have been used to guide a more structured and proactive approach to managing the species. Given that Sand flathead

¹³⁸ Submission No. 5, Dr. Paul McShane, p. 20.

are Tasmania's most important recreational fishery, they require strong, transparent, and reliable management plans.

Improved consultation process, alongside earlier intervention, may help reduce both ecological and social disruption.¹³⁹

4.21 In response to questions on notice dated 20 July 2026, NRE Tas provided the Committee with a sand flathead communications and engagement overview and a sand flathead recovery plan communications strategy.¹⁴⁰

4.22 Between July 2025 and April 2026, NRE Tas stated that it:

... had more than 9,500 face to face interactions with recreational fishers and the public... Underpinning these efforts is the understanding that fishers who are accurately informed and appropriately engaged are more receptive to messages about legal and responsible fishing, and therefore able to change their behaviours to follow the rules and ensure higher survival of released sand flathead.¹⁴¹

4.23 The communications strategy, produced in September 2025, included a timeline of messaging around sand flathead recovery, and also sought to broaden awareness of the 2023/24 sand flathead stock assessment.¹⁴²

Findings

17. The Tasmanian Government engaged in general and ongoing consultation about Tasmanian fisheries, including the sand flathead fishery.
18. There was a lack of targeted consultation by the Tasmanian Government with the community and stakeholders between receipt of the 2025 Stock Assessment Report and the announcement of the decision to close the sand flathead fishery in south-east Tasmania.
19. The lack of consultation by the Tasmanian Government with the community and stakeholders of a potential closure of the sand flathead fishery in south-east Tasmania raised concerns about the decision-making process.

Recommendations

10. **The Tasmanian Government ensure that the Department of Natural Resources and Environment Tasmania undertake genuine and targeted consultation with the community and stakeholders prior to**

¹³⁹ Submission No. 3, Environment Tasmania, pp. 2-3.

¹⁴⁰ Response to questions on notice from Mr. Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, dated 20 July 2026.

¹⁴¹ Response to questions on notice from Mr. Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, dated 20 July 2026, p. 3.

¹⁴² Response to questions on notice from Mr. Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, dated 20 July 2026, pp. 81-96.

announcing major changes to fisheries management, particularly the closure of a fishery.

5. ADVANTAGES AND DISADVANTAGES OF ALTERNATIVE FISHERY MANAGEMENT OPTIONS

- 5.1 This Chapter considers the advantages and disadvantages of alternative fishery management options to closing the sand flathead fishery in south-east Tasmania.

Evidence received

- 5.2 The Department of Natural Resources and Environment Tasmania (NRE Tas) provided evidence on its approach to fishery management options:

As a fisheries management agency, the Department investigates and assesses various options to achieve fishery management goals, as a matter of course. In doing so, it investigates the appropriateness and advantages and disadvantages of each option considered. Factors that are used to assess options may include, but are not limited to:

- *Conformity to Government policy*
- *Biological appropriateness,*
- *Legal considerations for the implementation of the proposed option,*
- *Effectiveness at achieving the intended outcome,*
- *Impact on fishers (social and economic),*
- *Potential unintended consequences,*
- *Administrative burden,*
- *Equitability of the measure,*
- *Evidence of use and outcomes from other jurisdictions,*
- *Compliance and enforceability,*
- *Practicality of adherence for fishers, and*
- *Cost of implementation and available resourcing.*¹⁴³

- 5.3 NRE Tas provided detail on the advantages and disadvantages of alternative fishery management options, and why the closure of the fishery in the south-east was preferred, in Section 4.2.5 of its submission:

... IMAS advice in 2023 confirmed that the rate and certainty of recovery of the stock would be faster where a closure was implemented. The Department also received advice regarding compliance challenges, and that there was a clear preference for any options investigated to be simple and enforceable. The options therefore available to the Department for consideration were:

(1) Status quo – continued access for recreational fishers, at the very low level permitted at the time (bag limit of two in much of south-eastern zone), and with very few fish within the slot limit, or

(2) Further reductions – further reductions to the very low bag limit (2 fish) and slot limit (35-40cm)

¹⁴³ Submission No. 6, Department of Natural Resources and Environment Tasmania, pp. 37-38.

(3) Closure – a closure of the fishery in the south-eastern zone

(4) Extended closure – a closure of the fishery in all areas where the stock is depleted (statewide excluding Flinders Island).

Option 1 would likely result in a protracted recovery of the fishery in the south-east (assuming high compliance rates), potentially over decades. Option 2 was likely subject to the rate of compliance with the rules, and again would likely have resulted in a protracted recovery trajectory. Option 3 would result in the fastest possible recovery in the south-east. This option also provided the highest level of certainty given the known issues with compliance.

It was considered that the risk of social and economic impacts of options 1 and 2, a protracted, recovery with limited recreational access, were greater than Option 3, a shorter recovery, with no recreational access. This is consistent with previous IMAS advice that the recreational fisheries are likely to have greater resilience to experiencing short-term losses of benefits if these losses produce benefits over the long-term. It is known that recreational fishers do not experience high satisfaction levels when fish stocks are in a poor condition.

On this basis it stands to reason that a long period of highly-restrictive access would not align with the social importance of this fishery to Tasmanians, as described in the 2023 social study. Reinstating access to a healthy, and sustainable, fishery, as fast as possible, is aimed at achieving the best social and economic outcomes possible.

Option 4 - closure of the fishery in all areas where the stock is depleted - was also given consideration. This was not proceeded with due to the relative levels of risk in each area. While other areas in the state are also assessed as depleted, the southeastern zone has distinct risk factors that are not present, or not as prevalent in other areas. The majority of fishing effort is concentrated in the south-eastern zone. The management changes implemented in 2023, along with the introduction of landing whole statewide to support compliance, were considered appropriate to change the stock's trajectory in all depleted areas but the south east.¹⁴⁴

- 5.4 NRE Tas submitted that there was limited scope for alternative management options, given the 2025 stock assessment and the compliance information received from Tasmania Police. NRE Tas stated “therefore there is a clear and significant risk that the 2023 measures are insufficient to rebuild the stock.”¹⁴⁵

Considering that 2025 stock assessment provided advice that the stock remained classified as Depleted across most areas, despite an acknowledgment in the assessment that the 2023 measures, assuming high compliance, may have reduced recreational catch and fishing mortality (see Section 4.1.1). Also noting the Department's view, based on Tasmania Police

¹⁴⁴ Submission No. 6, Department of Natural Resources and Environment Tasmania, pp. 34-35.

¹⁴⁵ Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 38.

compliance information, that high compliance is unlikely, and therefore there is a clear and significant risk that the 2023 measures are insufficient to rebuild the stock (see Section 4.1.3).

Options for further management measures to effectively reduce fishing mortality in the south-east were limited at this stage. Advice received by IMAS in 2023 confirmed that the rate and certainty of recovery of the stock would be faster where a closure was implemented.¹⁴⁶

5.5 In its submission to the Committee, the Institute of Marine and Antarctic Studies (IMAS) provided evidence on the many factors informing appropriate fishery management options:

IMAS research indicates that no single management tool is universally optimal and that performance depends on management objectives, regional stock condition, fisher behaviour, and compliance.

Bag limit reductions can reduce harvest while retaining fishing access and may be effective where cumulative recreational take is driven by retained catch across many participants. They can also maintain social participation while lowering overall fishing mortality. Their effectiveness may be reduced where compliance is poor or where released fish experience post-release mortality.

Minimum size limits can protect immature fish until spawning age, while slot limits can also provide protection to larger, more fecund individuals, particularly females in the case of Sand Flathead as females grow larger than males. These tools can be effective where stock productivity remains adequate and compliance is strong. However, where few fish occur within legal harvest size ranges, their practical benefit to fishers may be limited and released fish handling increases (with associated post-release mortality creating additional pressure on the stock).

Spatial or temporal closures can provide the most direct and immediate reduction in fishing mortality in depleted regions and may be appropriate where rebuilding urgency is high or other measures are unlikely to achieve sufficient reductions in catch. Potential disadvantages include reduced short-term access for fishers, displacement of effort to other regions or species, and the need for strong compliance to achieve intended outcomes.

Catch-and-release settings may retain some access while substantially lowering extractive mortality, provided post-release survival is high. However, benefits depend on species-specific release survival, fisher behaviour, and compliance with possession rules.

The IMAS evidence base strongly supports regionally explicit management for Sand Flathead. Statewide aggregation can mask severe local depletion, particularly in south-east Tasmania, while stronger regions such as Flinders Island have retained comparatively better stock condition (Krueck et al 2025). In this

¹⁴⁶ Submission No. 6, Department of Natural Resources and Environment Tasmania, pp. 37-38.

context, stronger management interventions targeted toward depleted regions may provide a more proportionate response than uniform statewide settings.

Human dimensions research also indicated that many fishers recognised the need for stronger management responses where stock condition had declined, suggesting that rebuilding measures and continued access are both important considerations in future management design.¹⁴⁷

- 5.6 At the 9 June 2026 public hearing, Dr David Midson of NRE Tas gave evidence on the role of IMAS in informing alternative fishery management options:

Mr JAENSCH - So, when you say 'the fastest-possible timeframe' is that what your less than five years, ideally, is based on? What's the alternative and what's the timeframe for that?

Dr MIDSON - The IMAS stock assessment said that, without strong action, sand flathead may not recover or could take an unacceptably long time to recover. So, without the additional measures that are being put in place, their assessment is that there would be either no recovery or an unacceptably long time to recover...

Ms FINLAY - But did they recommend closure?

Dr MIDSON - It's not part of their role to recommend management measures. ... I'm just quoting what they said: without strong action, sand flathead may not recover or could take an unacceptably long time to recover.

Ms FINLAY - But they didn't recommend closure? It doesn't say close the fishery?

Dr MIDSON - They recommend strong management measures if we want to recover. It's the professional role of fisheries managers to determine what those management settings should be, for a whole variety of reasons, not just the scientific.¹⁴⁸

- 5.7 TARFish stated there were many alternative fishery management options available to the Minister for Primary Industries and Water, the Honourable Gavin Pearce MP, apart from closing the sand flathead fishery in the south-east:

... They include but are not limited to:

1. Discreet area closure (e.g. to support stock enhancement research)
2. Discreet period closure (e.g. closing particular areas for a short period or to protect spawning fish)
3. Allowing shore-based fishing

¹⁴⁷ Submission No. 8, Institute of Marine and Antarctic Studies, pp. 5-6.

¹⁴⁸ Dr. David Midson, General Manager (Marine Resources), Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 9 June 2026, p. 11.

4. A permit system to allow fishing with children under 12

The reality is this: ask recreational fishers what they want both in terms of recovery trajectory (fast or slower), and if access needs to be limited, how that should occur.

When fishers were asked in 2022 what their management preferences were for the sand flathead fishery (Tracey et al 2023) there was greater preference for reducing bag limits than there was for closing the fishery.

As noted under our response to TOR 1, TARFish is concerned that the underlying assumption from the IMAS advice in 2023 that states “it is suggested that applying a management strategy that aims to recover biomass to at least 40% of unfished levels in the medium term (i.e. 4-6 years) rather than longer term >6 years” is the effective genesis of the position we have arrived in. However, it does not consider other factors and that is the ongoing issue.

In the absence of quality consultation and engagement, the decision making will always be limited and flawed.

Further, we need to ensure that decisions are made to address the issue(s).

There was no fishery collapse emergency – the issue that was discussed in the parliamentary briefing and provided in the confidential briefing note to TARFish was non-compliance.

Closure should not be considered a “fix” for non-compliance as discussed under TOR 1.

There are several major impediments to delivering alternative management options:

- Investment in improving compliance:

- invest in understanding the compliance issues
- invest in increased compliance activity (more ramp checks, more authorised fisheries officers)
- Government should focus on communicating the rules.
- Invest in appropriate support for management settings (e.g. disposal pathways for heads and frames)

- Effectiveness of investment to date

- No recovery plan
- No harvest strategy
- No model to predict recovery
- No increase in assessment of recreational catch.
- No consultation¹⁴⁹

¹⁴⁹ Submission No. 9, TARFish, pp. 9-10.

5.8 In his submission, Dr Jeremy Lyle provided evidence on possible alternative management options:

Given the limited time between introducing the new rules and the fishery closure, coupled with lack of recent fishery data, it was unrealistic to expect that the stock assessment, informed by limited research fishing, could have demonstrated a clear stock or fishery response. As noted above, it is reasonable to assume that fishing pressure was significantly lower post- 2023/24 but realistically it will take several years for this benefit to be fully realised in the stock.

Notwithstanding this, there are alternatives to total fishery closure that could have been considered to provide additional stock protection, whilst permitting some limited fishing activity. Short-term fishing closures, either targeting areas of particular concern (perhaps the upper DEC) or timed to correspond to peak spawning are common and relevant management options. As detailed information about fishing behaviour is collected in the statewide recreational fishing surveys, appropriate re-analysis and could be used to model relative impacts/benefits of alternative spatial and/or seasonal scenarios.

Compared with the loss of fishery data during stock recovery (e.g. recreational catch and catch rate data from statewide fishing surveys), unaccounted for social and economic impacts, implications for IMAS fish frame collection and flathead tagging initiatives, serious consideration of alternative management measures could go some way to help rebuilding stakeholder trust whilst also engaging, encouraging and recognising fisher stewardship in the recovery of the sand flathead stocks.¹⁵⁰

5.9 RecFishTas provided evidence of its concern that alternative management options were not pursued by NRE Tas prior to the closure:

RecFishTas is concerned that alternative fishery management options were not subject to adequate public scrutiny prior to the decision to implement a full closure. In 2022, IMAS recommended a 75 per cent reduction in harvest. However, Fisheries Tasmania implemented a 90 per cent reduction without consultation, reducing the bag limit from 20 to 2 fish rather than the recommended limit of 5, and subsequently proceeded to a complete closure of the fishery. Slot size limits were also introduced during this period.

Prior to closure, fishers consider these fishery management measures were significantly reduced harvest pressure; however, fishers have not been provided with solid updated information demonstrating the measurable impacts of these restrictions.

In short, there has been insufficient public explanation of the effectiveness of the earlier fishery management measures before the Government transitioned to a full closure of the fishery.

RecFishTas believes the Committee should examine whether alternative approaches were sufficiently evaluated, including finer area management,

¹⁵⁰ Submission No. 4, Dr. Jeremy Lyle, p. 6.

staged seasonal closures, rotational protected zones, targeted spawning closures, modified slot limits, and adaptive catch limits linked to recovery indicators.

A recurring theme in community feedback is that the closed area is too broad and fails to reflect local variations in stock abundance. Fishers consistently report that stock conditions vary significantly across relatively short distances.

RecFishTas recommends finer scale area management dividing the broader closure zone into smaller ecological units to allow more precise rebuilding strategies.¹⁵¹

5.10 Professor Caleb Gardner provided recommended alternative management measures for the sand flathead fishery:

e. Conduct research on alternate size limit options (this is likely already underway at IMAS). The current 35 cm limit is clearly sub-optimal for both recreational utility and management of spawning biomass. It shifts fishing pressure onto females so spawning biomass is depleted. It needlessly prevents fishers catching male flathead, so their long-run recreational yield/enjoyment is reduced. An obvious option to explore (i.e. model) are slot limits circa 30 cm in combination with conservative bag limits.

f. Implement a temporary, flathead closed area for research on parameterisation of growth. The uncertainty surrounding estimation of growth in this species is a serious barrier to confidence in stock assessment and simulations of alternate management options, especially with concerns that growth may be changing through time. A research closure somewhere in the SE such as the Derwent or Fredrick Henry Bay for a period of 10 years maximum would be a good investment in science. This closure must be temporary and there must be a commitment to reopen it on time. This is because permanent area closures (marine parks) are usually counterproductive to good fishery management (despite rhetoric from ENGO marketing campaigns). This is because marine parks have the negative consequence of displacing catch and effort onto other areas leading to overall lower biomass and egg production. There has been an unfortunate history of delay in reopening research closures in Tasmania such as Elephant Rock which is a legacy problem.¹⁵²

5.11 Professor Gardner also recommended that the NRE Tas survey community attitudes and “consult on options for different management.”¹⁵³

Findings

20. Fishery closures are reflective of a failure in long-term planning and management.
21. No single fishery management tool is universally optimal.

¹⁵¹ Submission No. 1, RecFishTas, pp. 4-5.

¹⁵² Submission No. 2, Prof. Caleb Gardner, p. 4.

¹⁵³ Submission No. 2, Prof. Caleb Gardner, pp. 3-4.

22. Lack of investment and long-term planning limit the success of fisheries management decisions, including the sand flathead fishery closure in south-east Tasmania.

6. THE USE OF THE LIVING MARINE RESOURCES MANAGEMENT ACT 1995 AND FISHERIES (SCALEFISH) RULES 2015 TO AUTHORISE THE CLOSURE

- 6.1 This Chapter considers the use of the *Living Marine Resources Management Act 1995 (Tas)* (LMRMA) and *Fisheries (Scalefish) Rules 2015* (the Rules) to authorise the closure of the sand flathead fishery in south-east Tasmania.

Evidence received

- 6.2 In its submission to the Committee, the Department of Natural Resources and Environment Tasmania (NRE Tas) outlined the statutory powers and mechanisms considered and utilised in the closure.
- 6.3 NRE Tas asserted that there are a number of powers under the LMRMA and the Rules that can be utilised for the management of fisheries and consideration was given to the most appropriate avenue:

... These powers and the alternative legislative mechanisms they provide are considered when making fisheries management decisions. The consideration of options is standard practice in fisheries management and involves consideration of statutory processes required under law, administrative considerations, enforcement considerations and advice, scientific advice, and other relevant considerations.

In determining a south-eastern zone closure and the closure for sand flathead in respect to the activity of filleting, the Department gave consideration to:

- *All available scientific advice and information pertaining to the sand flathead fishery in Tasmania,*
- *The appropriateness of the available legal mechanism(s),*
- *Responses to consultation received by the relevant certified fishing bodies,*
- *The environmental, social and economic implications,*
- *Government policy,*
- *Use of the mechanism to give effect to similar closures,*
- *Previous engagement with the relevant certified fishing bodies,*
- *Previous engagement of the Department with all relevant stakeholders, and*
- *Advice provided by marine compliance and Tasmania Police.*

Additionally, the Department provided an opportunity for the relevant certified fishing bodies to respond to the proposed closures and considered

those responses prior to issuance of the published notice, and in doing so afforded procedural fairness to the participants of the fishery.

While both closures were enacted using rule 11 of the Scalefish Rules, alternate legislative mechanisms were also considered to give effect to the closure and landing requirements. An overview of these decisions and mechanisms is provided below.¹⁵⁴

6.4 NRE Tas submitted that sections 49 and 50 of the LMRMA were initially considered for the closure of the fishery:

Consideration was given to the use of section 49 of the LMRMA to achieve the outcomes. Pursuant to section 49, the Minister, by order published in the Gazette, may change a management plan by amending, substituting or adding any provision of the management plan if satisfied that an emergency has arisen, or is likely to arise, making it necessary or advisable to change the management plan.

Under section 50 of the Act, before the Minister makes an order, the Minister must consult with the relevant fishing body; and the Secretary, by public notice, must specify the changes that are proposed to be made to a management plan by the order. The relevant fishing body representing Tasmanian recreational fishers is TARFish.

There is no prescribed form for undertaking consultation, though the Marine Resources Public Engagement and Consultation Policy⁹ guides consultation processes in addition to statutory requirements. It was determined section 49 of the LMRMA would not be the most administratively effective mechanism used to give effect to the closure and landing requirements.¹⁵⁵

6.5 Accordingly, a notice was published by NRE Tas in the Tasmanian Government Gazette on 11 February 2026 outlining the intention to close the fishery as required by section 50 of the LMRMA.¹⁵⁶

6.6 However, this legislative mechanism was not pursued, and it was determined that the closure would be implemented pursuant to rule 11 of the Rules:

Rule 11 of the Scalefish Rules enables the Minister, or delegate, by published notice, to determine dates of a closed or open season, the part of the scalefish fishery to which the closure applies, and specific activities that are closed. There is no legislated requirement to consult with the relevant fishing body under this rule.

¹⁵⁴ Submission No. 6, Department of Natural Resources and Environment Tasmania, pp. 38-39.

¹⁵⁵ Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 41, including reference to Footnote 9 of the submission:

<https://fishing.tas.gov.au/Documents/Marine%20Resources%20Public%20Engagement%20and%20Consultation%20Policy.pdf>

¹⁵⁶ *Tasmanian Government Gazette*, 11 February 2026, pp.69-70. Accessed at:

https://www.gazette.tas.gov.au/editions/2026/february-2026/22546_-_Gazette_11_February_2026.pdf

Rule 11 was used in 2023 to introduce interim arrangements for sand flathead in response to being assessed as Depleted in the Tasmanian Scalefish Fishery Assessment 2020-21. In this instance, the Department sought advice from IMAS and gave consideration to interim measures that:

- Acknowledged the seriousness of the Depleted status for sand flathead,
- Adopted a precautionary approach ahead of more significant measures proposed in the scalefish review,
- Sent a strong message to the community about the need to take action,
- Were enforceable and practical to enforce,
- Were easily communicated and understood by fishers across the State, and
- Minimised the impacts to the commercial fishing industry.

In considering the available mechanisms and the Crown's experience implementing similar rules, rule 11 was considered the most appropriate mechanism to give effect to the sand flathead rule changes.¹⁵⁷

6.7 Rule 11 of the Rules states:

11. Closed and open seasons for scalefish

- 1) The Minister, by published notice, may determine –
 - (a) the dates of the closed season for all or part of the scalefish fishery; and
 - (b) the dates of the open season for all or part of the scalefish fishery; and
 - (c) that any part of a scalefish fishery is closed to, or in respect of, specific activities for such periods as are specified in the notice.
- 2) A person must not –
 - (a) take scalefish from State waters that are closed to the scalefish fishery for that kind of scalefish; or
 - (b) be in possession of scalefish in State waters that are closed to the scalefish fishery for that kind of scalefish; or
 - (c) undertake an activity of a type specified in a determination during the period, and in the fishery, as specified in that determination under subrule (1)(c).¹⁵⁸

¹⁵⁷ Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 42.

¹⁵⁸ *Fisheries (Scalefish) Rules 2015* rule 11. Accessed at: <https://www.legislation.tas.gov.au/view/whole/html/inforce/current/sr-2015-068>.

- 6.8 Under delegation from the Minister for Primary Industries and Water, Dr David Midson, General Manager (Marine Resources) of NRE Tas, published a notice on 25 February 2026 of his determination under rule 11 of the Rules to close the sand flathead fishery in the south-east from 1 March 2026.¹⁵⁹
- 6.9 NRE Tas submitted that rule 11 provided “a robust, enforceable and flexible legal mechanism.”¹⁶⁰
- 6.10 At the 9 June 2026 public hearing, the Committee heard evidence from NRE Tas about the delegated decision-making process including any published reasons for the decision:

Ms FINLAY - ... Was the decision around the closure of the fishery done by you under delegation or was it done by the Minister?

...

Mr JACOBI - It's a delegation from the Minister, yes.

Ms FINLAY - Okay. Thank you. Can you outline - often when there's a decision published, and I think historically there used to be statements for the reason of making a decision - is there a formal statement for the reason of making a decision to close the fishery?

Dr MIDSON - No, there is not. In general, we don't publish statements of reasons for decisions under the fisheries' rules, whether that be the rock lobster rules, abalone rules or scalefish rules. There's no requirement to provide those statements of reasons for those decisions.¹⁶¹

- 6.11 TARFish gave evidence on the Government's consideration of legal mechanisms including consideration of 'emergency' provisions under the LMRMA:

Consultation based on an “emergency” being used to circumvent more fulsome and appropriate consultation

The decision was positioned by the Minister on the basis of an “emergency” as evidenced by the publication of the public notice on Wednesday 11 February that stated the General Manager (Marine Resources) had acted pursuant to s.50 of the Living Marine Resources Management Act 1995. To act pursuant to s.50, s.49 must be satisfied.

¹⁵⁹ Notice of the dates of the closed season for a part of the scalefish fishery for sand flathead, Dr. David Midson – General Manager (Marine Resources), Department of Natural Resources and Environment Tasmania. Accessed at: <https://fishing.tas.gov.au/Documents/Att%201%20-%20Closure%20Notice%20for%20sand%20flathead%20fishery%20-%20south%20eastern%20zone.pdf>

¹⁶⁰ Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 39.

¹⁶¹ Mr. Jason Jacobi, Secretary, and Dr. David Midson, General Manager (Marine Resources), Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 9 June 2026, NRE Tas, pp. 5-6.

The email received from the General Manager (Marine Resources) regarding his rationale for forming the view is on the basis of a precautionary approach and erring on the side of caution because “stocks are at very low levels and there are risks of irreversible or hard to reverse changes.”

It is our view however that the rationale and information provided did not provide evidence supporting an “emergency has arisen, or is likely to arise, making it necessary or advisable to change the management plan”

Where is the emergency? The decision was based on historical data available and in existence in some cases for in excess of 12 months. The stock assessment on which the view was formed was released in November 2025 and is likely that earlier drafts and information sharing between the Department and IMAS existed well before then which also indicates that there was no “emergency,” as the decision would have been taken earlier.

The advertising campaign in particular lead TARFish to the conclusion that the decision had been planned for some time and suggests that the decision was “branded” an emergency without justification to ensure a streamlined implementation. More onerous alternatives include the review of the Fisheries (Scalefish) Rules 2015 (Tasmania) or the long promised harvest strategy, which must take place in any event and before 1 November 2026 when the Rules expire.

It is evident that the Minister shared the General Manager’s view given the strength of the language in the Minister’s media release that the decision had been made.

The Minister must therefore have been satisfied there [sic] an emergency existed on the basis of the approvals for the advertising campaign, the parliamentary briefings undertaken by the Minister, and the decisive language used in the media release.

There must have been months of preparation go into making this “decision” and at no point throughout that period was consultation undertaken.

On balance, it can be concluded that either:

- The Government believed there was an emergency and the government has failed to act in a timely way; or
- There wasn’t an emergency and the Government used the guise of an emergency to avoid more onerous consultation.¹⁶²

6.12 At the 10 June 2026 public hearing, Ms Jane Gallichan, Chief Executive Officer of TARFish, emphasised the concern with the use of ‘emergency powers’ by the Minister:

Ms GALLICHAN - There's the announcement of the decision and then the period between the decision and when it takes effect. What happens is the Minister advised that he was closing the fishery, and there is a statutory

¹⁶² Submission No. 9, TARFish, pp. 7-8.

requirement for consultation under that, even though the decision had effectively been taken. The first response that I received is that section 50 of the Act was going to be used - the emergency provisions of the Act - which also says in the previous section that the Minister is satisfied that there is an emergency. So, there is an announcement of the closure and then an advertising campaign commenced about the closure. That tells you that in practice a decision has been taken already even though they are required to then consult. It is unlikely that a minister or their delegate is going to change a decision that they're currently advertising on television. Our argument is that the decision was actually taken on 4 February, but it was not put into effect, as in the closure of the fishery, until March.¹⁶³

- 6.13 However, Ms Gallichan did concede that the 'emergency powers' were not used to close the fishery:

Mr JAENSCH - ... as I understand it: sections 49 and 50 of the Act weren't relied on for this. Rule 11 of the Scalefish Rules was.

Ms GALLICHAN - Yes.¹⁶⁴

- 6.14 In its submission, NRE Tas raised the issue of the rules remake process arising from the expiration of the Fisheries (Scalefish) Rules 2015 on 31 October 2026:

The Scalefish Rules expire on 31 October 2026 and a new Rules will need to be made by that date to ensure continuity of regulation.

In February 2026, the Minister for Primary Industries and Water determined under section 43 of the LMRMA that a new management plan should be prepared for the Tasmanian Scalefish Fishery.

The Scalefish Rules are in the form of a management plan, and the creation of a new management plan is subject to a statutory requirement for at least 60 days consultation.

While the Department considered addressing the south-eastern zone closure through the amending or making of alternative Scalefish Rules, the extent of compliance issues and depleted stock status meant that more immediate management measures were considered necessary.

*The Department will continue to be guided by the best available science in considering management arrangements that may be warranted as new Scalefish Rules are being prepared.*¹⁶⁵

- 6.15 However, TARFish raised concerns that "the government does not intend to include sand flathead in the scalefish rules remake later in 2026."¹⁶⁶

¹⁶³ Ms. Jane Gallichan, Chief Executive Officer, TARFish, Transcript of Evidence, 10 June 2026, pp. 39-40.

¹⁶⁴ Ms. Jane Gallichan, Chief Executive Officer, TARFish, Transcript of Evidence, 10 June 2026, p. 40.

¹⁶⁵ Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 42.

¹⁶⁶ Submission No. 9, TARFish, p. 10.

Findings

23. The decision-making processes undertaken by the Minister for Primary Industries and Water and the Department of Natural Resources and Environment Tasmania created confusion for stakeholders and the community.
24. There was inconsistency in the public details provided in the announcement of the sand flathead fishery closure, the notice in the Tasmanian Government Gazette, and the final closure decision, which led to frustration and confusion for stakeholders and the community.
25. The public notice in the Tasmanian Government Gazette on 11 February 2026, pursuant to section 50 of the *Living Marine Resource Management Act 1995* (Tas), led to concern in the community about a new emergency in the sand flathead fishery in south-east Tasmania.
26. While there is no statutory obligation on the Department of Natural Resources and Environment Tasmania to consult when acting in accordance with rule 11 of the *Fisheries (Scalefish) Rules 2015*, not doing so has increased concern and decreased trust in fishery management decision-making processes.
27. The Department of Natural Resources and Environment Tasmania does not publish reasons for fishery management decisions, and not doing so has increased concerns and decreased trust in fishery management decision-making processes.

Recommendations

11. **The Department of Natural Resources and Environment Tasmania publish reasons for fishery management decisions.**
12. **The Department of Natural Resources and Environment Tasmania go beyond legislative obligations regarding consultation and communication to rebuild trust in the community and with stakeholders.**

7. WHAT IS REQUIRED TO INFORM A DECISION TO REOPEN, OR NOT TO REOPEN, THE SAND FLATHEAD FISHERY

- 7.1 This Chapter considers evidence received on what is required to inform a decision to reopen, or not to reopen, the sand flathead fishery in south-east Tasmania.

Evidence received

- 7.2 In his submission to the Committee, the Honourable Gavin Pearce MP, Minister for Primary Industries and Water, stated that:

*As the fishery status improves, I fully expect that there will be early calls to reopen the fishery. Reopening will require care so as not to undermine the benefits of the current management settings, and the stock enhancement program. A high performing fishery may be expected to attract significant fishing pressure. I expect that these factors will be considered as part of future decisions about the fishery...*¹⁶⁷

- 7.3 The Department of Natural Resource and Environment Tasmania (NRE Tas) provided evidence on the matters relevant to reopening the sand flathead fishery in the south-east:

Reopening of the fishery in the closed area is subject to ongoing stock assessment, scientific advice on the performance of the stock in response to management measures and the stock enhancement program. The Department is working on a stock rebuilding plan which will be released later this year. It will include specific conditions which need to be met for consideration to be given to reopening of the fishery. The development process has involved close consultation with Tasmania Police and collaboration with both TARFish and IMAS. It will be consulted widely during future stages of the development process.

The primary objective of the stock rebuilding plan is to establish a positive stock trajectory for the sand flathead stock which will return it in the shortest time practicable to above the limit reference point of unfished spawning stock biomass and eventually – ‘Sustainable’ status. An appropriate limit reference point has not yet been determined. For scalefish species, this is typically between 20-30% of unfished spawning stock biomass. Other measures, such as spawning potential, may also be used as proxies for spawning stock biomass. There are also two sub-objectives:

- 1. To return, to the extent possible, the size and age structure of the stock to that of an unfished state.*
- 2. To prioritise rebuilding efforts in highly depleted key fishing areas.*

¹⁶⁷ Submission No. 7, Hon. Gavin Pearce MP, Minister for Primary Industries and Water, p. 4.

In making the decision to reopen, or not reopen the sand flathead fishery, the Department may give consideration to:

- *All available scientific advice and information pertaining to the sand flathead fishery in Tasmania,*
- *The stock enhancement program,*
- *Responses to consultation received by the relevant certified fishing bodies,*
- *The environmental, social and economic implications,*
- *Government policy,*
- *Previous engagement with the relevant certified fishing bodies,*
- *The Department's previous engagement with relevant stakeholders,*
- *Advice provided by Tasmania Police, and*
- *Any other relevant information.*

The process for reopening, and keeping stakeholders informed about when and how this might occur broadly includes monitoring of progress of the stock against targets, and communication with the stakeholders including the public and fishing bodies. For the sand flathead fishery the metrics used to track progress and determine sustainability may include, but are not limited to:

- *Spawning Stock Biomass or Spawning Potential.*
- *the size and age structure of the stock.*

Both of these metrics are biological indicators used to assess the sustainability of the stock. These are included in annual stock assessments published by IMAS. The Department will continue to communicate results from stock assessments to all stakeholders. Additionally, progress of the stock enhancement program will be closely monitored and published as appropriate.

Any proposed rule changes to allow re-opening of the fishery will be consulted with the relevant fishing bodies and other stakeholders.

SIT has consistently advocated that any reopening of closed fisheries should be equitable across sectors. For sand flathead in the closed area, this would mean equal opportunity of access to both recreational and commercial sectors.¹⁶⁸

- 7.4 In its submission to the Committee, the Institute for Marine and Antarctic Studies (IMAS) stated scientific considerations to inform a decision to reopen the fishery or modify the parameters of the closure:

¹⁶⁸ Submission No. 6, Department of Natural Resources and Environment Tasmania, pp. 43-44.

From a scientific perspective, decisions to reopen or modify closures are best informed by measurable evidence of sustained rebuilding over multiple years rather than short-term variation in catch outcomes.

Relevant indicators may include:

- increasing mean fish size
- improved representation of legal-sized fish
- recovery of upper size classes and older age classes
- improved spawning potential and biomass
- evidence that fishing mortality has reduced to levels consistent with sustainability or rebuilding targets
- positive trends observed through fishery-independent surveys and complementary monitoring programs

Because Sand Flathead is a relatively long-lived species, rebuilding larger fish and older age structure can take several years following effective reductions in fishing pressure. Accordingly, the absence of immediate short-term change should not necessarily be interpreted as management failure.

The most robust evidence-base for future management decisions would involve the development of an integrated Management Strategy Evaluation (MSE) framework. An MSE can integrate available biological, fishery, compliance and uncertainty information to test alternative management pathways, evaluate rebuilding timeframes, and compare trade-offs between stock recovery, fishing access and risk under different scenarios. This would provide a transparent basis for future decisions regarding reopening or alternative management settings. This work has been funded as part of the most recent FRDC [Fisheries Research Development Corporation] project and as the project progresses it will provide a mechanism to assess reopening scenarios.

At the same time, fisheries management decisions do not require perfect information before action can be taken. Where credible evidence indicates risk to stock sustainability, precautionary and proportionate management responses may be warranted while further information is collected. Accordingly, uncertainty should not preclude appropriate decisions designed to maintain or rebuild the stock...¹⁶⁹

- 7.5 In response to questions on notice, NRE Tas provided a Minute to the Minister dated 10 December 2025, which discussed the stock enhancement program being undertaken by IMAS:

Management, research and engagement initiatives in the Sand Flathead Rebuilding Plan will be complemented by releasing additional fish into the most overfished area of the south-eastern zone. This will be achieved through

¹⁶⁹ Submission No. 8, Institute for Marine and Antarctic Studies, pp. 6-7.

a stock enhancement program, led by IMAS, and funded through \$1.2 million from the Tasmanian Government Strong Plan initiative.

A recent IMAS-led study on the feasibility of the program has reinforced initial views that effectiveness would be maximised by enhancing poorly performing stocks in the south-eastern zone using faster growing genes from the Furneaux Group. This is proposed to occur in two ways: 1) initially to kickstart stock enhancement larger (400mm+) faster growing fish from the Furneaux Group will be caught and translocated directly into the stock enhancement area (DEC) [D'Entrecasteaux Channel], and 2) followed by releasing captive-bred fish using parents with genetic traits where growth rates and maximum size have not been negatively impacted by fishing.

Considering funding, logistics and other practical constraints, the study proposed an initial focus on the DEC due to the poor state of the fishery, its importance to south-eastern zone fishers and its semi-enclosed nature (which should limit the emigration of released fish). Here, the larger transferred mature fish will be monitored through a tagging program to understand movement, growth and mortality while captive bred fish are planned to be released in 2026, once the fingerlings (small fish) have been bred and grown to optimal size in a hatchery based environment at IMAS.¹⁷⁰

7.6 Professor Sean Tracey of IMAS provided the Committee with a report funded by the Fisheries Research and Development Corporation (FRDC), *Developing a cost-effective monitoring regime and stock assessment for Sand Flathead in Tasmania* (the FRDC Report), dated May 2026, as additional information.¹⁷¹

7.7 The FRDC Report stated that one of the aims of the project was to “identify management scenarios capable of rebuilding areas with a focus on supporting long-term sustainability.”¹⁷²

7.8 Amongst other matters, the FRDC Report proposed an enhanced data-monitoring regime to best measure rebuilding progress:

Fishery-independent monitoring should continue annually or near-annually, particularly in depleted priority regions, so rebuilding progress can be measured objectively through time.¹⁷³

7.9 The FRDC Report notes enhanced monitoring may also inform stock enhancement projects:

¹⁷⁰ Response to questions on notice from Mr. Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania, dated 20 July 2026, pp. 13-14.

¹⁷¹ Additional information from Prof. Sean Tracey, Institute of Marine and Antarctic Studies, received 29 June 2026.

¹⁷² Additional information from Prof. Sean Tracey, Institute of Marine and Antarctic Studies, received 29 June 2026, p. 27.

¹⁷³ Additional information from Prof. Sean Tracey, Institute of Marine and Antarctic Studies, received 29 June 2026, p. 31.

*These tools may also inform any future consideration of stock enhancement or translocation. For example, there may be interest in whether lightly exploited regions such as Flinders Island could contribute broodstock or demographic support to more depleted areas...*¹⁷⁴

- 7.10 The FRDC Report summarised requirements of the fishery rebuilding process, and was optimistic that rebuilding was achievable:

Diversification toward other sustainable fisheries should be encouraged where appropriate, helping to maintain participation, reduce concentrated pressure on Sand Flathead, and support associated recreational and commercial industries during the rebuilding period and beyond. At the same time, continued investment in next-generation assessment capability will be important. This should include development of dynamic stock assessment and management strategy evaluation models capable of testing rebuilding timelines, alternative harvest strategies, fisher behaviour, effort redistribution, compliance responses, and the performance of regionally structured management under uncertainty. Ongoing biological research into connectivity, reproductive output, life-history change, and climate-related influences would further strengthen Tasmania's ability to adaptively manage and secure long-term recovery of Sand Flathead

...

This project identifies that Sand Flathead rebuilding is achievable. Tasmania now has the scientific evidence, monitoring capability, and management tools required to restore the long-term sustainability, resilience, and quality of its most valued recreational fishery.

*The priority ahead is sustained implementation of decisive management, particularly in south-eastern Tasmania where recovery need is greatest. With evidence-based management and continued community support, the fishery can recover and continue to provide social, economic, and cultural benefits for future generations.*¹⁷⁵

- 7.11 In its submission, Environment Tasmania provided its perspective on reopening the fishery:

Any decision to reopen the fishery should be based on clear, transparent and scientifically robust evidence that the stock has recovered.

*A precautionary approach should be maintained, including staged reopening, ongoing monitoring, and the ability to respond quickly if stock levels decline again.*¹⁷⁶

- 7.12 RecFishTas in its submission to the Committee stated that:

¹⁷⁴ Additional information from Prof. Sean Tracey, Institute of Marine and Antarctic Studies, received 29 June 2026, p. 218.

¹⁷⁵ Additional information from Prof. Sean Tracey, Institute of Marine and Antarctic Studies, received 29 June 2026, p. 32.

¹⁷⁶ Submission No. 3, Environment Tasmania, p. 3.

One of the strongest frustrations among recreational fishers is the absence of clear reopening benchmarks.

Fishers need to know what biological indicators will trigger reopening, what abundance levels are being targeted, and what timeline assumptions are being used.

Without transparent reopening criteria, trust erodes further.

RecFishTas submits that Government should be required to publish measurable reopening benchmarks including biomass thresholds, abundance of larger breeding fish, recruitment indicators, and area-specific recovery targets.¹⁷⁷

- 7.13 At the 10 June 2026 public hearing, Mr John Stanfield of RecFishTas disagreed with allowing commercial fishers to access the fishery upon reopening:

Mr STANFIELD - A recommendation for this Committee should be to make sand flathead a recreational-only species in all smooth and sheltered waters around Tasmania... Commercial effort is included in the NRE submission for reopening, and that would be a point of disagreement for the recreational sector.¹⁷⁸

- 7.14 Ms Jane Gallichan, Chief Executive Officer of TARFish, gave evidence that the closure of the fishery was not necessary and provided a series of measures in a reopened fishery that would resolve the issues with recovering sand flathead in the south-east:

Ms GALLICHAN - ... This is a serious problem, but it is easily solved. Reopening the fishery in the south-east with a bag limit of two fixes the problem; or consider allowing fishing from the shore or jetties, or other management that supports kids to go fishing, fixes the problem.

So in conclusion, what we have is a bad decision but good science saying that we can recover the fishery. Closing this fishery is unnecessary; the science says that. The Minister and Government have thrown up problems that they claim can only be solved with a fishery closure; that is not true. Landing heads and frames or whole fish fixes the problem; measuring recreational fishing effort fixes the problem; having good legislation, good policy, and specifically a harvest strategy fixes the problem; closing the discrete area for restocking rather than the whole south-east fixes the problem; focusing communication and engagement on the issue fixes the problem; publishing compliance data and effectiveness of compliance activities fixes the problem; and keeping the fishery open, even with a very low level of catch, fixes the problem...¹⁷⁹

¹⁷⁷ Submission No. 1, RecFishTas, p. 5.

¹⁷⁸ Mr. John Stanfield, RecFishTas, Transcript of Evidence, 10 June 2026, p. 20.

¹⁷⁹ Ms. Jane Gallichan, Chief Executive Officer, TARFish, Transcript of Evidence, 10 June 2026, p. 37.

- 7.15 In its proposed recommendations to the Committee, TARFish provided its perspective on alternative approaches to managing the south-east sand flathead fishery:

It is TARFish's strong and preferred recommendation that

1. Pause the closure for a period of 1 year to:

- Undertake review that evaluates recent management changes and involves stakeholders and provides a report with recommendations*
- Finalise a recovery plan*
- Develop a harvest strategy*
- Permit informed consideration and proper consultation before revising the Fisheries (Scalefish) Rules 2015 expiring 1 November 2026*

The following combination of recommendations are an alternative to the government's proposals.

2. Alternative to the Governments proposals by:

... 2. Pilot restocking experiment at much smaller scale

a. The proposal to translocate and restock hatchery bred fingerlings is novel, particularly for the purpose of reversing stunting. To better understand the effectiveness of this approach and given that sand flathead are highly resident, a much smaller area could be closed and studied. For example of smaller area closures could be:

i. The upper channel (an area from Dennes Point in the north to Three Hut Point in the south)

ii. the lower Huon (drawing a line across the bottom of the Huon estuary between Huon Point and Ninepin Point)

3. Increasing communication and stewardship amongst recreational fishers a. Implementing TARFish's proposed sand flathead stewardship campaign.¹⁸⁰

Findings

28. The Tasmanian Government has determined that the reopening of the sand flathead fishery in south-east Tasmania is subject to ongoing evaluation of the recovery of the fishery based on scientific evidence and advice.

¹⁸⁰ Submission No. 9, TARFish, p. 14.

29. There are currently no publicly available criteria for the reopening of the sand flathead fishery in south-east Tasmania.
30. There is currently no integrated Management Strategy Evaluation framework for the sand flathead fishery.

Recommendations

13. The Tasmanian Government prioritise the development and publication of the criteria for reopening the sand flathead fishery in south-east Tasmania as a matter of priority.
14. The Tasmanian Government funds the development and implementation of an integrated Management Strategy Evaluation framework for the sand flathead fishery.
15. The Tasmanian Government make the Sand Flathead Rebuilding Plan readily available to the public, when finalised.
16. The Tasmanian Government provide regular accurate and transparent updates to the community and stakeholders about the status of the sand flathead fishery in south-east Tasmania.
17. The Tasmanian Government clearly consult on and communicate about the reopening process for the sand flathead fishery in south-east Tasmania.

8. ANY OTHER MATTERS INCIDENTAL THERETO

- 8.1 This Chapter considers evidence on matters raised by witnesses incidental to the Terms of Reference. The first matter considered is the need for a harvest strategy for the sand flathead fishery in south-east Tasmania; the second matter relates to funding of the Sustainable Marine Research Collaboration Agreement (SMRCA); and the third matter relates to peak bodies representing recreational fishers in Tasmania.

Harvest strategy

- 8.2 Many witnesses provided the Committee with evidence supporting the development and implementation of a harvest strategy for sand flathead in Tasmania.

Evidence received

- 8.3 In his submission to the Inquiry, the Honourable Gavin Pearce MP, Minister for Primary Industries and Water, stated the Tasmanian Government's intention regarding a harvest strategy:

...the Government is committed to the development of a sand flathead rebuilding plan, as well as a harvest strategy to help manage this fishery into the future.¹⁸¹

- 8.4 The Department of Natural Resources and Environment Tasmania (NRE Tas) provided evidence on its intention to develop a sand flathead harvest strategy:

The Department intends to develop a sand flathead harvest strategy in consultation with relevant stakeholders to provide a transparent and predictable operational framework for managing the sand flathead fishery under agreed ecological, social, and economic objectives. The harvest strategy decision rules that recommend management actions in response to changes in the stock status will be linked to performance indicators and reference points. The harvest strategy will be informed by data and outputs from IMAS's Fisheries Independent sand flathead Sampling Program and the planned development of temporally explicit, dynamic population models. This strategy would come into effect once the stock has reached recovery thresholds defined in the Rebuilding Plan.¹⁸²

- 8.5 In its submission, the Institute for Marine and Antarctic Studies (IMAS) also suggested that a harvest strategy would be desirable for fisheries management:

Future decisions would be strengthened by continued fishery-independent surveys, recreational harvest monitoring, updated stock assessments, MSE and harvest strategy development, and consideration of compliance

¹⁸¹ Submission No. 7, Hon. Gavin Pearce MP, Minister for Primary Industries and Water, p. 4.

¹⁸² Submission No. 6, Department of Natural Resources and Environment Tasmania, p. 46.

information, as management effectiveness depends not only on regulations but also on adherence to them.¹⁸³

8.6 Professor Caleb Gardner recommended the development and implementation of a harvest strategy for sand flathead in Tasmania:

The need for a Sand Flathead harvest strategy is noted many times through this report. Harvest strategies define:

(i) the objectives for the fishery (sustainability of course, but more importantly an aspirational objective such as “maximise recreational fishing enjoyment”)

(ii) the performance indicators (e.g. estimated biomass, fishing mortality, and recreational utility)

(iii) the management limit, thresholds and targets for these indicators (e.g. we want biomass at 50% of unfished levels to maximise recreational fishing enjoyment)

(iv) decision rules to adjust management (e.g. we adjust fishing mortality with changes in bag limit using a defined schedule on the same 5-year frequency as per the scientific surveys of recreational catch and effort).

(v) breakout rules (e.g. if there are concerns about lower recruitment then regulations will be reviewed).

Harvest strategies are routinely applied elsewhere in Australia. There is support for their greater use in Tasmania but the roll-out is just too slow. My experience with the 20-year incubation of a harvest strategy for Tasmanian rock lobsters is that they’re overcooked, rather than a resourcing problem.

A harvest strategy would allow the government to respond transparently to changes in the stock without the need for debate, surveys, inquiries etc. They have been highly effective at restoring stocks and reducing conflict in other jurisdictions. The success in commonwealth fishery management where overfishing has been eliminated is attributed to harvest strategies.¹⁸⁴

8.7 Professor Gardner also states that a harvest strategy would provide:

...clarity on the objectives and there are no surprises in management decisions such as the March 2026 closure. The absence of a harvest strategy and clear objectives for the fishery is affecting management. For example, what is a desirable level of fishing mortality? A harvest strategy involves initial consultation but once it’s in place then the management response to research data occurs seamlessly...¹⁸⁵

¹⁸³ Submission No. 8, Institute of Marine and Antarctic Studies, p. 7.

¹⁸⁴ Submission No. 2, Prof. Caleb Gardner, pp. 20-21.

¹⁸⁵ Submission No. 2, Prof. Caleb Gardner, p. 3.

- 8.8 Dr Paul McShane of Global Marine Resource Management Pty Ltd also advocated for the development of a harvest strategy:

There is an urgent need for development of a harvest strategy for sand flathead. Harvest strategies with clear decision rules based on appropriate performance indicators, reference points and associated harvest control rules are now considered prerequisites for sound fisheries management. Current assessments imply reference points (e.g. spawning potential ratio, fishing mortality estimates), but robust performance indicators are lacking in annual assessments. There is a need for a much clearer link between assessment and management (e.g. the research advisory group and management advisory committee link for Commonwealth fisheries management).¹⁸⁶

- 8.9 In his submission, Dr Jeremy Lyle submitted that a lack of a formal harvest strategy hinders assessment and monitoring of the fishery's recovery:

In closing the SZ [south-eastern zone] neither NRE Tasmania nor IMAS have been forthcoming in terms of how recovery will be monitored, success assessed and what decision framework will be used to reopen the fishery – a situation exacerbated by the lack of a formal harvest strategy for the fishery.

- *It is worth noting that a key outcome of Flathead for the Future program is the development of a formal harvest strategy that includes stock rebuilding targets, a recovery plan and stock monitoring systems (NRE Tas 2021). After almost 5 years, progress and status of these tasks remain unclear.*

Furthermore, it is acknowledged that the current assessment approach, cannot estimate current fishing mortality nor current stock trends and thus there is limited capacity to monitor recovery or to evaluate the effectiveness of recent management changes.

The current assessment is primarily informed by the fishery-independent surveys which are based on small sample sizes that may not be robust enough to be representative of regional variability nor provide baselines against which stock recovery can be monitored. It is important to note that the function of the fishery-independent surveys has changed substantially between when they were initially developed as a weight-of-evidence approach of stock status to now being core inputs into quantitative stock assessments. Apart from expanding regional coverage, sampling design and intensity has changed little. There is a need, therefore, to ensure that the fishery-independent surveys are fit-for-purpose and that sampling conforms to a robust statistical design if they are to be used to inform baselines against which stock recovery and meaningful performance indicators can be monitored through time and at appropriate regional scales.

¹⁸⁶ Submission No. 5, Dr. Paul McShane, p. 6

*It is recommended that the fishery-independent surveys and their application in stock assessments be re-evaluated through a comprehensive and independent peer review.*¹⁸⁷

- 8.10 Recreational fisher groups also agreed on the need to develop and implement a harvest strategy for the sand flathead fishery. TARFish indicated a strong desire to see a harvest strategy implemented:

Ms GALLICHAN - ... There is no harvest strategy for sand flathead or for many other species as they remain unfunded to develop. The Government's Recreational Sea Fishing Strategy at outcome 1, action 2 commits to develop harvest strategies with biological performance measures and incorporate recreational fishing goals. Priority species include abalone, rock lobster, calamari and flathead, and emerging species such as King George whiting, snapper and yellowtail kingfish.

*To date, one harvest strategy has been put into operation from this list: it's abalone. The strategy in its six of 10 years has not that long to go before all of these harvest strategies should have been developed and there is still no funding for the Department to do that. A harvest strategy for Tasmania's most popular recreational fish must be a top priority.*¹⁸⁸

- 8.11 RecFishTas representative, Mr John Stanfield, gave evidence at the 10 June 2026 public hearing noting the need for a harvest strategy for sand flathead, even if it may be difficult to reach agreement:

To save disagreement, acceptance of the closure seems reasonable; however, a review of management decision-making is required. Currently, there is no harvest strategy for sand flathead or many other scalefish species in Tasmania. A very brief summary of a harvest strategy is a management tool that informs of stock assessments and what actions can be taken if biomass falls to predetermined limits. It may be difficult to reach agreement on a harvest strategy, but we do absolutely need those agreements in place as a pre-emptive tool so that we're not stuck in a situation where we've got depleted fisheries and we're arguing about what action should be taken.

...

A recommendation from this Committee needs to include a harvest strategy for sand flathead or harvest strategies for all scalefish in Tasmanian waters. Assessments are data driven. The closure in the south-east combined with the closure of the commercial fishery leaves sand flathead as a data-poor fishery.

...

*A recommendation from this Committee should be to reopen the fishery, noting as a precursor that a harvest strategy should be agreed prior.*¹⁸⁹

¹⁸⁷ Submission No. 4, Dr. Jeremy Lyle, pp. 6-7.

¹⁸⁸ Ms. Jane Gallichan, Chief Executive Officer, TARFish, Transcript of Evidence, 10 June 2026, p. 36.

¹⁸⁹ Mr. John Stanfield, RecFishTas, Transcript of Evidence, 10 June 2026, pp. 16- 18.

- 8.12 At the 10 June 2026 public hearing, Mr Julian Harrington, Chief Executive Officer of Seafood Industry Tasmania (SIT), also declared support for harvest strategies:

Ms FINLAY - ... Has SIT made any representation to government, or does SIT have any current conversations going on around the amount of investment that might be needed to ensure that there are appropriate harvest strategies done in a timely way?

Mr HARRINGTON - Look, we're supportive of the development of harvest strategies. Obviously, we're a little concerned that they're non-statutory tools that feed into statutory decision-making, but like the final part of my statement, we are very much supporters of open, transparent, defined processes of what happens when science says something's happening; what management action needs to happen to ensure that we're appropriately capturing the science we're seeing, the stock status, and ensuring that we're stable or improving stocks in the marine environment.¹⁹⁰

Findings

31. Harvest strategies provide clarity for fisheries management and are essential to achieving sustainability objectives.
32. Tasmania has been slow to develop harvest strategies for scalefish fisheries and lags behind other Australian jurisdictions where they are routinely applied.
33. There is currently no sand flathead harvest strategy in Tasmania despite the urgent need for one.
34. The lack of a harvest strategy for sand flathead in Tasmania has contributed to poor fishery management.
35. The absence of a harvest strategy for sand flathead in Tasmania is the result of insufficient funding.

Recommendations

18. **The Tasmanian Government prioritise the funding, development, and implementation of a dedicated harvest strategy for sand flathead.**

Sustainable Marine Research Collaboration Agreement (SMRCA) funding

- 8.13 The Committee also received evidence about the need for greater SMRCA funding.

¹⁹⁰ Mr. Julian Harrington, Chief Executive Officer, Seafood Industry Tasmania, Transcript of Evidence, 10 June 2026, p. 28.

Evidence received

- 8.14 Professor Sean Tracey, representing IMAS, outlined how the SMRCA operates:

Prof TRACEY - ...IMAS delivers the SMRCA - so the Sustainable Marine Research Collaboration Agreement. This is a formal partnership between the Tasmanian government and the University of Tasmania that has operated for more than 25 years. The agreement provides a long-term framework for the delivery of independent science-based advice to support the sustainable management of Tasmania's living marine resources. This agreement supports a broad portfolio of research, monitoring assessment activities across Tasmania's fisheries and aquaculture sectors.

An important feature of the SMRCA model is the clear separation between science and decision-making. IMAS provides independent, policy-relevant scientific evidence and advice. Government makes the management and regulatory decisions. This distinction is fundamental to maintaining scientific integrity and transparency to assist public confidence in the management of Tasmania's marine resources. Our role is to provide the best available evidence within the resources and time available for us to do so. Decisions about how that evidence is applied to resource management are matters for the government.

Tasmania's SMRCA model is actually quite unique in Australia, with the research for sustainable resource management conducted outside the government. This provides the state with access to world-class marine science capability, while maintaining the independence necessary to support evidence-based decision-making in often complex and contested areas of marine resource management.¹⁹¹

- 8.15 Professor Tracey gave evidence on the breadth of research that the SMRCA funding covered:

Prof TRACEY - ... One of the things we have, and I touched on it before, is the amount of resourcing that goes into the SMRCA. We have a number of species we assess, I think there's over 20 scalefish species and then high-value species like lobster, abalone, et cetera. I think Dr Lyle mentioned it yesterday that the fishery independent survey was set up functionally as a canary in the coal mine. Are we seeing issues, and issues were identified? Then one of the advantages of the SMRCA is where we realise we may need to turn up the microscope and look a little bit closer at an issue.¹⁹²

- 8.16 Seafood Industry Tasmania Chief Executive Officer, Mr Harrington, gave evidence that the amount of funding delivered under the SMRCA was inadequate:

¹⁹¹ Prof. Sean Tracey, Interim Co-Executive Director, Institute of Marine and Antarctic Studies, Transcript of Evidence, 10 June 2026, p. 2. See also Submission No. 8, Institute of Marine and Antarctic Studies, pp. 1-2.

¹⁹² Prof. Sean Tracey, Interim Co-Executive Director, Institute of Marine and Antarctic Studies, Transcript of Evidence, 10 June 2026, p. 5.

Mr HARRINGTON - Seafood Industry Tasmania has consistently raised concerns regarding the lack of indexation of the SMRCA grant from the government to IMAS, which over time has reduced the real value of funding available and research capacity and capability within IMAS.¹⁹³

- 8.17 The Committee asked Mr Harrington to expand on the funding of the SMRCA:

Ms FINLAY - ...You raised a couple of things then: you talked about limited funding and your ongoing concerns with the indexation around the SMRCA. ..we had IMAS present to us this morning, and we heard concern around the advice that they had provided over a number of opportunities around management decisions and that had been watered down... I'm wondering if you've got a comment on two things: one, what would be your recommendation about SMRCA funding going forward? Is there a position from SIT on that?...

Mr HARRINGTON - First part of that, with respect to the SMRCA: the grant stayed the same from its initiation in - better be careful - 1998, from memory, and stayed at the same magnitude. Over time, I started my working career down at the Tasmanian Aquaculture and Fisheries Institute (TAFI) marine research laboratories, then into IMAS and, obviously, if you're not increasing a grant over a large number of years, you essentially lose staff. I know from talking to the hierarchy of IMAS, they have lost, over time, a significant number of staff, which in turn is research capacity and capability.

We at SIT have simply asked for indexation to ensure the current capacity and capability can remain, moving forward, but we'd also like consideration, I mean, there's a lot going on in the world of fisheries management at the moment, a lot of reviews, harvest strategies, policy changes, and they all require scientific advice. Perhaps we need a bit of a recalibration of the level of science that we need and level of understanding about marine resources we need in a world where the marine environment and the marine estate is changing significantly.¹⁹⁴

- 8.18 Ms Jane Gallichan, Chief Executive Officer of TARFish, gave evidence on the inadequacy of SMRCA funding and the need to provide indexation:

Ms FINLAY - We spoke about the SMRCA with SIT, with IMAS, I may have asked yesterday Professor Gardner. Do you have a view in terms of the importance of fisheries management and that research relationship with the government about the level of funding of the SMRCA?

Ms GALLICHAN - Well, full disclosure, I also sit on the SMRCA Advisory Group and we have lobbied at successive elections to have increased funding for SMRCA and also to have it indexed. Through the most recent election there has been some increase, I think it was \$500,000. Would we like to see it

¹⁹³ Mr. Julian Harrington, Chief Executive Officer, Seafood Industry Tasmania, Transcript of Evidence, 10 June 2026, p. 27.

¹⁹⁴ Mr. Julian Harrington, Chief Executive Officer, Seafood Industry Tasmania, Transcript of Evidence, 10 June 2026, p. 28.

*indexed? Absolutely, because the requirement for good solid data is ever increasing, and in increasing complex fisheries management we have to have that underpinning. I would definitely say that our recommendation would be we would like to see indexation of SMRCA funding.*¹⁹⁵

- 8.19 The Committee asked Professor Tracey about his position on the level of funding received under the SMRCA and the amount required for it to operate effectively:

Ms FINLAY - *What do you actually need, annually, to have a full complement of SMRCA to be able to do your work well to inform fisheries management? What's your target amount versus the amount that you actually receive?*

Prof TRACEY - *That is also a question I would take on notice.*

...

Ms FINLAY - *Could you take that on notice, please? Because you have had public commentary around, for years SMRCA was underfunded given the expectations of research that the government require and the amount of money that they provided. There was a knowledgeable gap there. So if you could take on notice what the current expectations are and gaps with the SMRCA. I actually think that feeds into a lot of the challenges in a lot of these fisheries.*

Prof TRACEY - *I agree, and part of my role is to work out how we allocate that funding across the fisheries...*¹⁹⁶

- 8.20 In response to the question on notice, Professor Tracey provided a draft business case on funding for the SMRCA to the Committee on 13 July 2026. However, Professor Tracey requested that the draft business case be kept confidential, and the Committee resolved to grant his request.¹⁹⁷

Findings

36. Sustainable Marine Research Collaboration Agreement funding has not sufficiently increased over many years, and no indexation has been applied.

Recommendations

19. **The Tasmanian Government undertake a full review of the Sustainable Marine Research Collaboration Agreement.**
20. **The Tasmanian Government fully fund the Sustainable Marine Research Collaboration Agreement, with indexation applied, to enable the Institute of Marine and Antarctic Studies to provide independent,**

¹⁹⁵ Ms. Jane Gallichan, Chief Executive Officer, TARFish, Transcript of Evidence, 10 June 2026, p. 44.

¹⁹⁶ Prof. Sean Tracey, Interim Co-Executive Director, Institute of Marine and Antarctic Studies, Transcript of Evidence, 10 June 2026, pp. 13-14.

¹⁹⁷ Response to questions on notice from Prof. Sean Tracey, Institute of Marine and Antarctic Studies, dated 13 July 2026.

science-based advice that supports the sustainable management of Tasmania's living marine resources.

Representation of recreational fishers

- 8.21 The Committee also received evidence about representation of recreational fishers in Tasmania.

Evidence received

- 8.22 The Committee heard that TARFish is a certified representative body for recreational fishers under the *Living Marine Resources Management Act 1995* (Tas) (LMRMA):

Dr MIDSON - In terms of recreational fishing, TARFish is the certified body. Under the LMRMA there's a process for the Minister to certify fishing bodies as being representative of a particular sector, so TARFish is that for the recreational fishing sector. We have a very productive relationship with them. TARFish receive a number of grants around various things, including fisher stewardship. We engage with them quite regularly on how they do that and they've been heavily involved in the preparation for a rebuilding plan on sand flathead, for example. We continue to meet with TARFish very regularly and we work together on a range of engagement activities, including communicating about how we're going to engage, how they're going to engage in the different messages that we will be sharing.

We also have a more formal process of consulting with them and other certified bodies on management changes. For scalefish, the certified bodies are TARFish and Seafood Industry Tasmania (SIT) from the commercial sector, and we have an engagement policy that's up on our website that explains how we engage, and we engage with them very regularly. There wouldn't be many weeks that we're not engaging with certified bodies on a particular management measure.¹⁹⁸

- 8.23 Mr Stanfield of RecFishTas gave evidence on the limitations faced by his organisation not being a certified body under the LMRMA, including not being consulted on the recent sand flathead closure, and the need for an alternate voice for recreational fishers:

Mr STANFIELD - ...As to the consultative process and communication used, there was no consultation. I personally rang the Minister's office on multiple occasions and was not afforded a conversation with him. The Department come across as arrogant, disengaged and disingenuous...

...

¹⁹⁸ Dr. David Midson, General Manager (Marine Resources), Department of Natural Resources and Environment Tasmania, Transcript of Evidence, 9 June 2026, p. 17

... TARFish do what they do, and I'm not here to criticise them, but there is plenty of room for an alternate recreational voice, and I would very much like to be that voice.

...

As we go through this I'm going to say, you know, like a recommendation for this Committee should be to recognise RecFishTas as a recognised body to be included in discussions and have a stake at the table when decisions are made.¹⁹⁹

- 8.24 In its submission to the Committee, RecFishTas claims it represents “a Facebook community of more than 10,000 recreational fishers.”²⁰⁰
- 8.25 The Committee heard evidence from Ms Gallichan of TARFish about the breadth of organisations and individual members TARFish represents and its perspective on an alternative peak body:

Ms ROSOL - ... I'm just curious how many members TARFish have? What the proportion would be of organisations to individuals?

Ms GALLICHAN - Sure. We are a peak body made up of foundation organisational members. They are the Sea Charter Boat Operators of Tasmania, the Australian National Sport Fishing Association, the Tasmanian Game Fishing Association, the Australian Underwater Federation, they're not currently financial, and the Australian Fishing Trade Association (AFTA). We have those organisational members. In addition, we're kind of in a transition period at the moment. You can also have individual members. What we also have now is a pass-through arrangement from the government that when people purchase fishing licences, they can also elect to be a subscriber of TARFish. Between the members and the subscribers, it's about 5000 today.

Ms ROSOL - ... Do you acknowledge there's a substantial body of recreational fishers that don't think that TARFish represents their views?

Ms GALLICHAN - No, I don't think that's the case at all. I think there's a small number of recreational fishers that would like to be an alternative peak body.

Ms ROSOL - You don't represent all the views of recreational fishers in that case.

Ms GALLICHAN - What I could say is that there is a bell curve of views. I mean, if you're trying to represent 130,000 people and the businesses that rely on them, it is not possible to represent the individual view of every individual. What we try to do is operate at the centre of the bell curve where we try to match our positions to the majority of recreational fishers. But we're also bounded by the rules of TARFish, for example. There may be a pervasive view in the community, for example, but if that view is not supported by the

¹⁹⁹ Mr. John Stanfield, RecFishTas, Transcript of Evidence, 10 June 2026, p. 20.

²⁰⁰ Submission No. 1, RecFishTas, p. 1.

*science, then the board will not adopt that as a position. So, we have to be bounded by the science and guided by recreational fishers.*²⁰¹

Findings

37. There are approximately 130,000 recreational fishers and many associated businesses in Tasmania, who have differing views on the management of recreational fisheries.

²⁰¹ Ms. Jane Gallichan, Chief Executive Officer, TARFish, Transcript of Evidence, 10 June 2026, p. 36.

APPENDICES

Appendix A – List of submissions

1. RecFishTas
2. Professor Caleb Gardner
3. Environment Tasmania
4. Doctor Jeremy Lyle
5. Doctor Paul McShane
6. Department of Natural Resources and Environment Tasmania
7. Honourable Gavin *Pearce* MP, Minister for Primary Industries and Water
8. Institute for Marine and Antarctic Studies (IMAS)
9. Tasmanian Association for Recreational Fishing (TARFish)
10. Tasmanian Scalefish Fishermen's Association

Appendix B – Lists of Witnesses

PUBLIC HEARING – 9 June 2026

1. Mr Jason Jacobi, Secretary, and Dr David Midson, General Manager (Marine Resources), Department of Natural Resources and Environment Tasmania.
2. Assistant Commissioner Doug Oosterloo, and Acting Inspector Paul Johns, Tasmania Police.
3. Hon. Gavin Pearce MP, Minister for Primary Industries and Water, and Mr Jason Jacobi, Secretary, Department of Natural Resources and Environment Tasmania.
4. Dr. Jeremy Lyle.
5. Prof. Caleb Gardner.
6. Dr. Paul McShane, Global Marine Resource Management Pty Ltd.

PUBLIC HEARING – 10 June 2026

1. Prof. Sean Tracey, Interim Co-Executive Director, Institute for Marine and Antarctic Studies (IMAS).
2. Mr. John Stanfield, RecFishTas.
3. Mr. Julian Harrington, Chief Executive Officer. Seafood Industry Tasmania.
4. Ms. Jane Gallichan, Chief Executive Officer, Mr Robert Gordon,

Independent Chair, and Mr. John Edwards, Deputy Chair, Tasmanian Association for Recreational Fishing (TARFish).

5. Mr. Shane Bevis, President, Tasmanian Scalefish Fishermen's Association (TASFA).

Appendix C – Minutes of the Committee

FRIDAY, 6 March 2026

The Committee met at Parliament House, Hobart, in Committee Room 3, at 9.05 a.m.

MEMBERS PRESENT:

Ms Brown
Mr Fairs (via Teams)
Mr George
Ms Haddad (Chair)
Mr Jaensch
Ms Johnston
Ms Rosol

MINUTES

Resolved, that the minutes from the previous meeting on 24 September 2025 be confirmed. (Ms Haddad)

CONSIDERATION OF A PROPOSED OWN MOTION INQUIRY

Resolved, that the Committee conduct an inquiry to review and report on matters relating to the closure of the sand flathead fishery in south-east Tasmania on 1 March 2026, with reference to:

- 1) Information used to inform the decision to close the fishery, including, but not limited to, interpretation of the stock assessment, research, restocking, and compliance information;
- 2) The environmental, social and economic impacts considered in determining whether to close, or not to close, the fishery;

- 3) Consultation undertaken and consultative processes followed to inform the closure;
- 4) The advantages and disadvantages of alternative fishery management options;
- 5) The use of the *Living Marine Resources Management Act 1995* and *Fisheries (Scalefish) Rules 2015* to authorise the closure;
- 6) The evidence and processes required to inform a decision to reopen, or not to reopen, this fishery; and
- 7) Any other matters incidental thereto.

(Ms Brown)

ANY OTHER MATTERS

The Committee discussed proxy arrangements for the sand flathead inquiry, with Members agreeing to notify the Chair and Secretary of any proxy arrangements as soon as practicable.

NEXT MEETING

At 9.17 a.m., the Committee adjourned to a date to be determined.

Confirmed,

TUESDAY, 24 March 2026

The Committee met at Parliament House, Hobart, in Committee Room 1, at 2.01 p.m.

MEMBERS PRESENT:

Ms Brown
Mr Fairs
Ms Finlay

Mr Garland
Mr George
Mr Jaensch
Ms Rosol

TERMS OF REFERENCE

The Secretary took the Chair and read the Terms of Reference.

PROXY ARRANGEMENTS

The Secretary advised that the Committee had received written notice from Ms Haddad that Ms Finlay will be her proxy for the duration of the inquiry, and from Ms Johnston that Mr Garland will be her proxy for the duration of the inquiry.

ELECTION OF CHAIR

The Secretary called for nominations for Chair of the Inquiry.

Ms Finlay nominated Ms Brown, seconded by Mr George.

Ms Brown consented to the nomination.

There being no further nominations, the Secretary declared Ms Brown elected as Chair.

Ms Brown took the Chair.

Election of Deputy Chair

The Chair called for nominations for Deputy Chair of the Inquiry.

Ms Rosol nominated Mr George, seconded by Mr Garland.

Mr George did not consent to the nomination.

Ms Finlay nominated Mr Fairs, seconded by Ms Brown.

Mr Fairs consented to the nomination.

There being no further nominations, the Chair declared Mr Fairs elected as Deputy Chair.

INQUIRY CHARTER

The Committee discussed the Inquiry Charter to be developed by the Chair and Secretary for consideration at the next meeting.

NEXT MEETING

At 2.17 p.m., the Committee adjourned to a date to be determined.

Confirmed,

THURSDAY, 9 April 2026

The Committee met at Parliament House, Hobart, in Committee Room 3, at 9.08 a.m.

MEMBERS PRESENT:

Ms Brown (Chair)
Mr Fairs (via Teams)
Ms Finlay (via Teams)
Mr Garland (via Teams)
Mr George (via Teams)
Mr Jaensch (via Teams)
Ms Rosol (via Teams)

MINUTES

Resolved, that the minutes from the previous meeting on 24 March 2026 be confirmed. (Mr Fairs)

DRAFT INQUIRY CHARTER

The Committee discussed the Draft Inquiry Charter and agreed to consider it at the next meeting.

CONDUCT OF THE INQUIRY

Resolved, that the Committee's sand flathead inquiry be a short inquiry, involving specific stakeholders being invited to make a submission, and no public call for submissions. (Ms Brown)

Resolved, that the Chair sends correspondence inviting submissions from the following organisations and individuals:

- Minister for Primary Industries and Water
- Department of Natural Resources and Environment Tasmania
- TARFish
- IMAS
- Seafood Industry Tasmania
- Tasmanian Scalefish Fishermen's Association
- Fisheries Research and Development Corporation
- Global Marine Resource Management
- Solicitor-General
- Tasmania Police
- Australia Institute
- Environment Tasmania
- Australian Marine Conservation Society
- Friends of the Bays
- Rodney Dillon (Land and Sea Aboriginal Corporation Tasmania)
- Robert Pennicott
- Seton Lewis (Lewis Marine)

- John Stanfield
- Plinio Taurian
- Mark Duncan
- Caleb Gardner
- Adj Assoc Prof Jeremy Lyle
- Dr James Haddy
- Assoc Prof Neville Barratt
- Bryan Denny

(Ms Brown)

Resolved, that submissions open on 9 April 2026 and close on 8 May 2026. (Ms Brown)

Resolved, that the Chair be empowered to grant extensions of time for lodging submissions and to accept late submissions. (Ms Brown)

To inform further consideration about the timeline for the remainder of Inquiry, the Committee agreed for the secretariat to enquire with the Department of Natural Resources and Environment Tasmania about the timeline of the Scalefish Rules Remake process.

Resolved, that the proposed media release announcing the Short Inquiry be published on the webpage and be sent to media organisations. (Ms Brown)

NEXT MEETING

At 10.09 a.m., the Committee adjourned until 23 April 2026 at a time to be determined.

Confirmed,

THURSDAY, 23 April 2026

The Committee met at Parliament House, Hobart, in Committee Room 3, at 2.02 p.m.

MEMBERS PRESENT:

Ms Brown (via Teams)
Ms Finlay (via Teams)
Mr Garland
Mr George (via Teams)
Mr Jaensch (via Teams)
Ms Rosol (via Teams)

APOLOGIES

Mr Fairs

MINUTES

Resolved, that the minutes from the previous meeting on 9 April 2026 be confirmed. (Mr Garland)

TIMELINE OF THE INQUIRY

The Committee discussed the timeline for the short inquiry and agreed to:

- meet on 11 May 2026 to consider receiving submissions and to formulate a witness list for public hearings;
- schedule public hearings on 11 and 12 June 2026.
- hold report deliberative meetings on 28 and 29 July 2026; and
- table the Committee's report on 10 September 2026.

DRAFT INQUIRY CHARTER

Resolved, that the Committee's Inquiry Charter be agreed to. (Ms Brown)

NEXT MEETING

At 2.41 p.m., the Committee adjourned until Monday 11 May 2026 at a time to be determined.

Confirmed,

MONDAY, 11 MAY 2026

The Committee met at Parliament House, Hobart, in Committee Room 3, at 12.05 p.m.

MEMBERS PRESENT:

Ms Brown (via Teams)
Mr Fairs (via Teams)
Ms Finlay (via Teams)
Mr Garland
Mr Jaensch (via Teams)
Ms Rosol (via Teams)

APOLOGIES

Mr George

MINUTES

Resolved, that the minutes from the previous meeting on 23 April 2026 be confirmed. (Ms Rosol)

CORRESPONDENCE

Resolved, correspondence from Mr Jason Jacobi, Secretary of NRE Tasmania, dated 11 May 2025, be received (Mr Jaensch)

SUBMISSIONS

Resolved, the following submissions be received, and published in full, with personal contact details redacted as standard:

- Submission No. 1 – RecFishTas;
- Submission No. 2 – Caleb Gardner;
- Submission No. 3 – Environment Tasmania;
- Submission No. 5 – Paul McShane;
- Submission No. 6 – NRE Tasmania;
- Submission No. 7 – Minister Pearce;

- Submission No. 8 – IMAS; and
- Submission No. 10 – Shane Bevis.
(Mr Jaensch)

Resolved, the following submissions be received, and where the submitter has requested specified information in the submission remain confidential, be published with such information redacted:

- Submission No. 4 – Jeremy Lyle; and
- Submission No. 9 – TARFish.
(Mr Fairs)

PUBLIC HEARINGS

Resolved, to reschedule the public hearings for the Inquiry from 11 and 12 June 2026 to 9 and 10 June 2026.
(Ms Brown)

Resolved, to invite the following individuals and organisations to attend public hearings, with the following structure preferable if suitable for witnesses:

Tuesday 9 June 2026:

- Minister Pearce;
- NRE Tasmania, including Secretary, Mr Jason Jacobi;
- Tasmania Police;
- Environment Tasmania;
- IMAS;
- Paul McShane;
- Jeremy Lyle; and
- Caleb Gardner.

Wednesday 10 June 2026:

- TARFish;
- TasRecFish;
- Seafood Industry Tasmania;

- Tasmanian Scalefish Fishermen's Association;
- Land and Sea Aboriginal Corporation Tasmania (Rodney Dillon);
- Lewis Marine (Seton Lewis); and
- Plinio Taurian.

(Ms Finlay)

The Committee agreed that at the conclusion of the hearings it will consider if any further information is required from the Minister and NRE Tasmania and if this is best ascertained through an additional hearing or a written request for further information.

NEXT MEETING

At 12.29 p.m., the Committee adjourned until Tuesday 9 June 2026 at a time to be determined.

Confirmed,

TUESDAY, 9 JUNE 2026

The Committee met at Parliament House, Hobart, in Committee Room 1, at 10.30 a.m.

MEMBERS PRESENT:

Ms Brown (Chair)
Ms Finlay
Mr Garland
Mr Jaensch
Ms Rosol
Mr Di Falco

APOLOGIES

Mr Fairs

PROXY ARRANGEMENTS

The Chair advised the Committee that she had received written notice from Mr George that Mr *Di Falco* will be his proxy for the duration of the inquiry.

MINUTES

Resolved, that the minutes from the previous meeting on 11 May 2026 be confirmed. (Mr *Garland*)

PUBLIC HEARING

At 10.45 a.m. Mr Jason Jacobi, Secretary, and Dr David Midson, General Manager (Marine Resources), Department of Natural Resources and Environment Tasmania, were called, made the Statutory Declaration, and were examined by the Committee in public.

At 11.03 a.m. Mr Jacobi requested an *in camera* hearing to table confidential evidence.

At 11.03 a.m. the public hearing was suspended.

IN CAMERA HEARING

At 11.03 a.m. and the Committee commenced an *in camera* hearing with Mr Jacobi and Dr Midson. Departmental representatives remained in the room with the consent of the witnesses.

Mr Jacobi tabled a confidential document.

At 11.07 a.m. the *in camera* hearing ended.

Sitting suspended between 11.07 a.m. and 11.09 a.m.

PUBLIC HEARING

At 11.09 a.m. the public hearing resumed.

Mr Jacobi tabled a document entitled “Flathead Compliance Evaluation”.

At 11.51 a.m. the witnesses withdrew.

At 11.51 a.m. Mr *Di Falco* withdrew.

Suspension of sitting from 11.51 a.m. to 12.00 p.m.

At 12.00 p.m. Assistant Commissioner Doug Oosterloo and Acting Inspector Paul Johns of Tasmania Police, were called, made the Statutory Declaration, and were examined by the Committee in public.

At 12.11 p.m. Mr *Di Falco* joined via Teams.

At 12.44 p.m. the witnesses withdrew.

DELIBERATIVE MEETING

At 12.44 p.m. the Committee resumed the deliberative meeting.

Resolved, that the Committee receive and publish a tabled document entitled “Flathead Compliance Evaluation.” (Ms *Brown*)

Resolved, that the Committee receive a confidential tabled document and that it remains confidential to the Committee. (Ms *Brown*)

Mr *Jaensch* provided the Committee with a document, “Recreational Sea

Fishing Guide 2024-25,” for the Committee’s consideration.

Suspension of sitting from 12.48 p.m. to 1.30 p.m.

PUBLIC HEARING

At 1.30 p.m. the Hon. Gavin Pearce MP, Minister for Primary Industries and Water, and Mr Jason Jacobi of the Department of Natural Resources and Environment Tasmania were called and examined by the Committee in public.

At 2.30 p.m. the witnesses withdrew.

Suspension of sitting from 2.30 p.m. to 2.32 p.m.

At 2.32 p.m. Dr Jeremy Lyle was called, made the Statutory Declaration, and was examined by the Committee in public.

At 3.02 p.m. the witness withdrew.

Suspension of sitting from 3.02 p.m. to 3.15 p.m.

At 3.15 p.m. Prof Caleb Gardner was called, made the Statutory Declaration, and was examined by the Committee in public.

At 3.44 p.m. the witness withdrew.

Suspension of sitting from 3.44 p.m. to 4.00 p.m.

At 4.00 p.m. Dr Paul McShane was called, made the Statutory Declaration, and was examined by the Committee in public.

At 4.36 p.m. the witness withdrew.

NEXT MEETING

At 4.36 p.m. the Committee adjourned until 9.00 a.m. Wednesday, 10 June 2026.

Confirmed,

WEDNESDAY, 10 JUNE 2026

The Committee met at Parliament House, Hobart, in Committee Room 2, at 9.09 a.m.

MEMBERS PRESENT:

Ms Brown (Chair)
Ms Finlay
Mr Garland
Mr Jaensch
Ms Rosol
Mr Di Falco
Mr Fairs (Deputy Chair) (via Teams)

ACTING CHAIR

In the absence of the Chair, the Deputy Chair opened the meeting and agreed for Ms Rosol to be Acting Chair until the arrival of the Chair.

MINUTES

The Committee noted the minutes from the previous meeting on 9 June 2026 were in progress.

At 9.14 a.m. Ms Brown joined the meeting and took the Chair.

PUBLIC HEARING

At 9.16 a.m. Prof. Sean Tracey of the Institute of Marine and Antarctic Studies, was called, made the Statutory Declaration, and was examined by the Committee in public via Teams.

At 10.04 a.m. the witness withdrew.

Suspension of sitting from 10.04 a.m. to 10.45 a.m.

At 10.45 a.m. Mr John Stanfield of RecFishTas, was called, made the Statutory Declaration, and was examined by the Committee in public.

The witness tabled a document.

At 11.24 a.m. the witness withdrew.

Suspension of sitting from 11.24 a.m. to 11.30 a.m.

At 11.30 a.m. Mr. Julian Harrington, Chief Executive Officer, Seafood Industry Tasmania was called, made the Statutory Declaration, and was examined by the Committee in public.

At 11.55 p.m. the witness withdrew.

Suspension of sitting from 11.55 p.m. to 1.30 p.m.

At 1.30 p.m. Ms. Jane Gallichan, Chief Executive Officer, Mr. John Edwards, Deputy Chair, and Mr. Robert Gordon, Independent Chair, Tasmanian Association for Recreational Fishing (TARFish) were called, made the Statutory Declaration, and were examined by the Committee in public.

At 2.32 p.m. the witnesses withdrew.

Suspension of sitting from 2.32 p.m. to 2.33 p.m.

At 2.33 p.m. Mr Shane Bevis of the Tasmanian Scalefish Fishermen's Association was called, made the Statutory Declaration, and was examined by the Committee in public.

At 2.56 p.m. the witness withdrew.

NEXT STEPS

At 2.56 p.m. the Committee resumed the deliberative meeting.

Resolved, that the Committee receive and publish a document tabled by John Stanfield. (*Ms Brown*)

The Committee discussed the timeline for the Committee's report.

NEXT MEETING

At 3.03 p.m. the Committee adjourned until 9.00 a.m. Wednesday, 28 July 2026.

Confirmed,

TUESDAY, 28 JULY 2026

The Committee met at Parliament House, Hobart, in Committee Room 3, at 9.04 a.m.

MEMBERS PRESENT:

Ms Brown (Chair)
Ms Finlay (via Teams)
Mr Garland
Ms Rosol (via Teams)
Mr Di Falco

APOLOGIES

Mr Fairs, *Mr Jaensch*

MINUTES

Resolved, that the minutes from the previous meetings on 9 June and

10 June 2026 be confirmed. (Mr Di Falco)

CORRESPONDENCE

Resolved, that the following incoming correspondence be received, and the outgoing correspondence be endorsed:

a. Incoming

- i. Letter from Mr. Jason Jacobi (NRE Tas) dated 10 June 2026.
- ii. Additional information from Prof. Caleb Gardner received 11 June 2026.
- iii. Letter from Hon. Gavin Pearce MP, Minister for Primary Industries and Water, dated 29 June 2026.
- iv. Email from Prof. Sean Tracey (IMAS) dated 29 June 2026 and attachments.
- v. Response to question on notice from Mr. Julian Harrington (SIT) dated 3 July 2026.
- vi. Email from Mr. Jason Jacobi (NRE Tas) dated 4 July 2026 requesting a correction to hearing transcript.
- vii. Letter from Mr. Jason Jacobi (NRE Tas) dated 13 July 2026.

viii. Response to questions on notice from Hon. Gavin Pearce MP, Minister for Primary Industries and Water, dated 13 July 2026.

ix. Response to question on notice from Assistant Commissioner Doug Oosterloo dated 13 July 2026.

x. Response to questions on notice from Prof. Sean Tracey (IMAS) dated 13 July 2026 and attachments.

xi. Response to questions on notice from Mr. Jason Jacobi (NRE Tas) dated 20 July 2026 and attachments.

b. Outgoing

i. Letter from the Chair to Prof. Sean Tracey (IMAS) dated 2 July 2026.

ii. Letter from the Chair to Hon. Gavin Pearce MP, Minister for Primary Industries and Water, and Mr. Jason Jacobi (NRE Tas) dated 2 July 2026.

iii. Letter from the Chair to Mr. Julian Harrington (SIT) dated 2 July 2026.

- iv. Letter from the Chair to Assistant Commissioner Doug Oosterloo and Acting Inspector Paul Johns, dated 2 July 2026.
- v. Letter from the Chair to Mr. Jason Jacobi and Dr David Midson (NRE Tas) dated 2 July 2026.
(Ms Brown)

Resolved, that the following incoming correspondence be published on the Short Inquiry's website, with personal contact details redacted: i., ii., iii., iv. and attachments, v., viii., ix., x. and attachment 1, and xi. and attachments.
(Ms Brown)

Resolved, that the incoming correspondence x. attachment 2 be kept confidential to the Committee as requested.
(Ms Brown)

Resolved, that the transcript for the 9 June 2026 public hearing be corrected as requested by Mr Jason Jacobi, Secretary of the Department of Natural Resources and Environment Tasmania.
(Ms Brown)

IN CAMERA HEARING TRANSCRIPT

Resolved, that the Chair sends correspondence to Mr Jason Jacobi, Secretary, and Dr David Midson, General Manager (Marine Resources), of the Department of Natural Resources and Environment Tasmania, enclosing a copy of the draft *in camera* hearing transcript for their records.
(Ms Brown)

CONSIDERATION OF CHAIR'S DRAFT REPORT

The Committee commenced preliminary consideration of the Chair's Draft Report.

Suspension of sitting from 10.30 a.m. to 10.45 a.m.

At 10.45 a.m. the Committee's preliminary consideration of the Chair's Draft Report continued.

Suspension of sitting from 12.00 p.m. to 1.06 p.m.

At 1.06 p.m. the Committee's preliminary consideration of the Chair's Draft Report continued.

Suspension of sitting from 3.06 p.m. to 3.22 p.m.

At 3.22 p.m. the Committee's preliminary consideration of the Chair's Draft Report continued.

NEXT MEETING

At 4.56 p.m. the Committee adjourned until 9.00 a.m. Wednesday, 10 June 2026.

Confirmed,

WEDNESDAY, 29 JULY 2026

The Committee met at Parliament House, Hobart, in Committee Room 3, at 9.03 a.m.

MEMBERS PRESENT:

Ms Brown (Chair)
Ms Finlay (via Teams)
Mr Garland

Ms Rosol (via Teams)
Mr Di Falco

APOLOGIES

Mr Fairs, Mr Jaensch

MINUTES

The Committee noted the minutes from the previous meeting on 28 July 2026 are in progress and will be considered at the next meeting.

CONSIDERATION OF THE CHAIR'S DRAFT REPORT

The Committee continued its preliminary consideration of the Chair's Draft Report.

Suspension of sitting from 10.19 a.m. to 10.31 a.m.

At 10.31 a.m. the Committee's preliminary consideration of the Chair's Draft Report continued.

Suspension of sitting from 12.02 p.m. to 12.32 p.m.

At 12.32 p.m. the Committee's preliminary consideration of the Chair's Draft Report continued.

ANY OTHER MATTERS

The Committee agreed to a further deliberative meeting to consider the Chair's Draft Report on Monday, 24 August 2026 from 10.00 a.m. to 2.00 p.m.

NEXT MEETING

At 1.59 p.m. the Committee adjourned until 10.00 a.m. Monday, 24 August 2026.

Confirmed,

MONDAY, 24 AUGUST 2026

The Committee met at Parliament House, Hobart, in Committee Room 2, at 10.02 a.m.

MEMBERS PRESENT:

Ms Brown (Chair)
Mr Fairs (via Teams)
Ms Finlay (via Teams)
Mr Garland
Ms Rosol (via Teams)
Mr Di Falco

APOLOGIES

Ms Howlett

NEW MEMBER

The Committee noted Ms Howlett was appointed to the Committee in the place of Mr Jaensch on 11 August 2026.

MINUTES

Resolved, that the minutes of the previous meetings for this inquiry (28 and 29 July 2026) be confirmed. (Ms Rosol)

CORRESPONDENCE

That the incoming correspondence be received and the outgoing correspondence be endorsed:

- a. Incoming
 - i. Letter from Mr. Jason Jacobi, Secretary, NRE Tas, dated 12 August 2026.
- b. Outgoing
 - i. Letter to Mr. Jason Jacobi, Secretary, and Dr. David Midson, General Manager (Marine

Resources), NRE Tas,
dated 5 August 2026.
(Ms Brown)

CONSIDERATION OF THE CHAIR'S DRAFT REPORT

The Committee continued its preliminary consideration of the Chair's Draft Report.

Suspension of sitting from 11.02 a.m. to 11.13 a.m.

At 11.13 a.m. the Committee's preliminary consideration of the Chair's Draft Report continued.

Suspension of sitting from 12.49 p.m. to 1.32 p.m.

At 1.32 p.m. the Committee's preliminary consideration of the Chair's Draft Report continued.

At 2.19 p.m. the Committee commenced consideration of the Chair's Draft Report:

The paragraphs in Chapter 1, as amended and as agreed, stand part of the Report.

The paragraphs, findings, and recommendations in Chapter 2, as amended and as agreed, stand part of the Report.

The paragraphs, findings, and recommendations in Chapter 3, as amended and as agreed, stand part of the Report.

The paragraphs, findings, and recommendations in Chapter 4, as

amended and as agreed, stand part of the Report.

The paragraphs and findings in Chapter 5, as amended and as agreed, stand part of the Report.

The paragraphs, findings, and recommendations in Chapter 6, as amended and as agreed, stand part of the Report.

The paragraphs, findings, and recommendations in Chapter 7, as amended and as agreed, stand part of the Report.

The paragraphs, findings, and recommendations in Chapter 8, as amended and as agreed, stand part of the Report.

The Appendices A to E, as amended and as agreed, stand part of the Report.

Resolved, that the Chair's Draft Report, as amended, be the Report of the Committee. (Ms Brown)

Resolved, that the Secretary has administrative oversight of the Report, and may change references, spelling, layout and other such matters for accuracy. (Ms Brown)

Resolved, that the Report be tabled in the House of Assembly on Tuesday 1 September 2026. (Ms Brown)

At 2.28 p.m. the Committee adjourned *sine die*.

Unconfirmed,

Appendix D – Glossary of terms and acronyms

Bag Limit	The maximum number of a particular type of fish a fisher may legally take in a specified period.
Biomass	The total weight of a fish population within a defined area at a specified time.
Fishery Closure	A management measure prohibiting the taking or possession of a fish species within a defined area.
Fishing Mortality	The rate at which fish are removed from a population caused by fishing activities.
FRDC	Fisheries Research and Development Corporation.
Harvest Strategy	A pre-agreed framework setting out management actions in response to fish stock status indicators.
IMAS	Institute for Marine and Antarctic Studies at the University of Tasmania.
Landing Whole Requirement	A rule requiring a fish to be brought ashore whole or with intact frames to improve species identification and compliance.
LMRMA	<i>Living Marine Resources Management Act 1995</i> , Tasmania's principal fisheries legislation.
MSE	Management Strategy Evaluation, a modelling framework that tests alternative management options and assesses conservation, risk, and fishing opportunities before implementation.
NRE Tas	Department of Natural Resources and Environment Tasmania.
Possession Limit	The maximum quantity of a particular type of fish a fisher can legally possess at any one time in a specified area.
Precautionary Principle	A resource management approach promoting protective action when scientific uncertainty exists about environmental risks.
Recruitment	The addition of young fish to the fishable population.
Recreational Fishery	Fishing undertaken primarily for leisure rather than commercial purposes.

Scalefish Rules or the Rules	<i>Fisheries (Scalefish) Rules 2015</i> , subordinate legislation relating to the scalefish fisheries in Tasmania.
SMRCA	Sustainable Marine Research Collaboration Agreement between the Tasmanian Government and the University of Tasmania for independent fisheries science.
South-eastern Zone	The area between Whale Head and Cape Pillar, including the entirety of the previous D'Entrecasteaux Channel, Derwent River, Frederick Henry and Norfolk Bays Zone, where possession of Southern Sand Flathead was prohibited from 1 March 2026.
Southern Sand Flathead (<i>Platycephalus bassensis</i>)	A fish species endemic to southern Australia and one of Tasmania's most important recreational fish species.
Stock Assessment	A scientific evaluation of fish population size, condition, trends and sustainability.
Stock Enhancement	Active measures, such as hatchery production and release, intended to assist fish population recovery.
TARFish	Tasmanian Association for Recreational Fishing - Tasmania's peak recreational fishing body.
Terms of Reference (ToR)	The specific matters that the Committee's Short Inquiry was established to investigate.

Appendix E – Transcripts of Evidence