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THE GOVERNMENT ADMINISTRATION COMMITTEE B INQUIRY MET IN COMMITTEE ROOM 2, PARLIAMENT HOUSE HOBART ON WEDNESDAY 10 JUNE 2026.

SAND FLATHEAD INQUIRY

Institute for Marine and Antarctic Studies (IMAS)

The Committee met at 9.16 a.m.

CHAIR (Ms Brown) - Welcome to today's hearing of the Government Administration B Sand Flathead Inquiry. Thank you for your submission. Could you please state your name and the capacity of which you're joining us today.

Prof TRACEY - Thank you, Chair. My name is Sean Tracey. I am a professor in fisheries science at the University of Tasmania. I currently hold the role of the head of Fisheries and Aquaculture Centre and currently the interim co-executive director at the Institute for Marine and Antarctic Studies (IMAS,) and I also serve as director of the Sustainable Marine Research Collaboration Agreement or the SMRCA.

CHAIR - Thank you. Can you please confirm that you've received and read the guide sent to you by the Committee Secretary?

Prof TRACEY - I have, yes. Confirm.

CHAIR - Thank you. This hearing is covered by parliamentary privilege, allowing individuals to speak with freedom without fear of being sued or questioned in any court or place out of parliament. This protection is not accorded to you if statements that may be defamatory are repeated or referred by you outside of parliamentary proceedings. This hearing is public; the public and media may be present. Should you wish aspects of your evidence to be heard in private, you must make this request to the Committee at this time.

I'll just introduce members of the Committee. We have: Mr Jaensch, Ms Finlay, Mr Di Falco, Mr Garland, Ms Rosol and I'm Meg Brown.

Mr JAENSCH - And Rob Fairs.

CHAIR - And Rob is online. Thank you, Mr Jaensch.

I'll now do the swearing in process. I'll ask you again to introduce yourself, your title and organisation.

PROFESSOR SEAN TRACEY, FISHERIES SCIENCE, INTERIM CO-EXECUTIVE DIRECTOR, INSTITUTE FOR MARINE AND ANTARCTIC STUDIES (IMAS), VIA TEAMS, WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED.

CHAIR - Thank you so much. Would you like to make a short opening statement?

Prof TRACEY - Yes. Thank you, Chair, and Committee Members. Thank you for the opportunity to appear today. 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.

As evidence of the quality and standard of fishery and science conducted at IMAS, I note that IMAS was ranked number one in Australia for marine and fisheries science in *The Australian* newspaper most recent research rankings; while the University of Tasmania, who hosts IMAS, was ranked second globally for marine and freshwater biology in the *U.S. News Best Global University Subject Specific Rankings*; and first and 14th globally, respectively, for climate action and life below water in *The Times Higher Education World University Rankings*. These rankings reflect the national and international standings of the scientific capability that underpins the advice provided through the SMRCA and the University of Tasmania, more broadly, to the Tasmanian government in marine resource management.

In summary, our research teams are batting way above the size inferred by our small island state.

CHAIR - Thank you very much. We'll now open -

Prof TRACEY - I've got a little bit more, sorry.

CHAIR - Sure. My apologies.

Prof TRACEY - Thank you. Recreational fishing is important. On World Oceans Day earlier this week, the United Nations released their third iteration of the United Nations World Ocean Assessment, which included, for the first time, a dedicated chapter on marine recreational fisheries. The decision to include a standalone chapter reflects the growing international recognition of both the substantial benefits recreational fisheries provide and the importance of understanding and managing their impacts sustainably. I had the privilege of serving as the coordinating author of that chapter alongside an international team of experts,

and many of the challenges and management principles identified globally are directly relevant to the issues being considered by this Committee today.

One of the key findings of the World Ocean Assessment was the challenges associated with assessing and managing recreational fisheries and increasingly being recognised globally. Recreational fisheries can provide substantial social, cultural, and economic benefits, but they can also be a significant source of fishing mortality, particularly in accessible coastal regions where participation and fishing pressure can be high.

A major challenge - and I believe you heard several presentations yesterday on this - is that, unlike many commercial fisheries, recreational fisheries often lack standardised catch-rate data because of the large number of participants involved. As a result, there is growing reliance internationally on alternative data collections, including fishery-independent surveys, targeted monitoring and survey programs and self-reported data. Fishery independent surveys are not new in fishery science; in fact, they are considered a gold standard for assessing trends in biomass. It is important to recognise however, that in recreational fishing survey programs and self-reporting, there are many challenges in collecting data that is usable in a fisheries management assessment context. This is a globally recognised issue that many scientists are working on to try and improve. These methods are not a silver bullet.

Sand flathead represents a textbook example of this contemporary challenge: recreational fishers account for the overwhelming majority of the harvest and traditional commercial catch per unit effort indicators are largely unavailable. Consequently, stock assessment relies on long-term fishery independent monitoring, biological sampling programs, citizen science initiatives - such as the Fish Frame Collection Program that IMAS has been running for several years - and the careful interpretation of multiple complementary datasets. This is not unique to Tasmania, but it reflects an emerging global challenge in contemporary recreational fisheries assessment and management. I will leave it there.

CHAIR - Thank you very much. We'll now go to questions. Ms Rosol.

Ms ROSOL - Thank you, Chair. Thank you, Professor Tracey, for that introduction there. One of the things that you said in your introduction was that there's often a contested area around fishery management, and I think that we're hearing that in the evidence that we've heard before the Committee yesterday and in the submissions. One of the questions I have is the IMAS research - what I'm hearing from the IMAS research is that the sand flathead fishery in the south-east of Tasmania is under huge pressure and clear action, strong action needs to be taken to address that.

The government, as a result, have chosen to close the fishery. We heard other evidence yesterday that was pushing back against that and saying, 'No, the evidence isn't clear around that.' There were closures and rules put in in 2023, and those people believe that those closures are making a positive impact on the number of fish and they're talking about the recruitment rates and saying the recruitment rates aren't showing up in the figures. I'm just wondering if you could comment on those different ways of looking at the evidence or focus on different parts of the evidence and comment on that please?

Prof TRACEY - I can. To one of your early points there about the contested space, I think with any decision-making, and it is particularly relevant with fishery science, is that with any decision you're going to have some people that are happy and some people that are unhappy

with the decision. We are also working in a very dynamic environment in the marine environment. It's constantly changing. We have climate change impacts and we also have varying levels of pressure from the fishery.

What we do know, I would suggest fairly unequivocally from multiple lines of evidence, is that we are below the 20 per cent limit reference point, which is the national standard for a fishery that is in a depleted state, and our modelling would suggest we are perhaps well below that level. What we would aim to do in that case is change the trajectory of the fishing effort. So functionally we've been in what we're calling a depleted state where the fishing effort is so great that the biomass or impacts to the stock will keep perhaps sending it in a south direction. We need to change the direction of that needle and get it coming back up and changing the trajectory and come back up towards that 20 per cent level and then ideally further on which I'll come back to in a minute.

Given how low our estimates of biomass are suggesting, I would suggest we're in a very, we're in a high-risk state. There were some examples yesterday about rock lobster, southern bluefin tuna and tiger flathead that have been managed out of a depleted state using catch-per-unit-of-effort indices. So you have a measure to see how you're tracking. In the absence of that kind of information in this assessment, the high risk of our situation would suggest we need to do what we can to get back above that 20 per cent level as quickly as possible in the absence of data. So this is the precautionary approach which you heard about yesterday; action should not be precluded by a lack of evidence suggesting that things are getting worse or improving.

Ms ROSOL - Thank you. I suppose with my layperson take on this. I understand about the spawning biomass being below the 20 per cent. I guess the evidence we heard yesterday, that's not solely enough of a measure to say that the fishery is at huge risk, and so there's plenty of young fish, young sand flathead around that aren't being picked up by the research or whatever. Looking at that, those numbers of small fish, it's all fine. That's my layperson interpretation of what was said, I'm just wondering if you could explain why that's not picked up in the data, and why that's not considered?

Prof TRACEY - Yeah. Look, sorry, I should have picked that up in the in my first response. Basically, we are seeing levels of recruitment coming through, which means we don't have recruitment failure. In some other species that have very heavily depleted stock, you will see signs where there may be absence of new classes coming through. Some species, this is with longer larval dispersal, so the eggs are floating around longer, there's a lot more variance in what can happen, you can have years where there are no recruitment coming through, and then you get these little spikes every now and then.

Given that flathead are highly fecund, meaning they produce a lot of eggs, we are seeing some level of eggs produced each year. So there are recruits coming through each year. So we can say there isn't recruitment failure; what we can't say, and what the national policy on the status of fish stocks suggests, is whether that is impaired or not. Is this enough recruits to maintain the stock going forward? We don't have that baseline because we don't know how many recruits back, you know, pre-fishing were actually occurring, and there is some evidence to suggest that there are less juvenile fish around than in the past.

Mr JAENSCH - Thank you, Professor Tracy. Yesterday we heard some, and I think Ms Rosol was referring to this as well, differing views on the value and fit-for-purpose of the current stock-assessment methodologies that are being used now here in Tasmania which have

informed this decision and will inform what happens next. Can you comment on the confidence levels you have, and that others have if there's a third-party review or other work underway, that can give us more confidence in the data emerging out of the stock assessment methodology?

Prof TRACEY - Yes, I thank the Member for the question. 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. We can go off and leverage fundings from the Fisheries Research Development Corporation, and we also got some additional funds from the state government, to look a bit closer at the sand flathead situation. That has allowed us to develop some new models which I am quite confident in, with the amount of data that we have, that they are the best available information that we can provide at the time. They have been internationally peer-reviewed as well and that review can be made available; that's both the fishery independent survey and the assessment model.

Mr JAENSCH - That would be good if you could provide us with a link to that or submit those documents.

Prof TRACEY - Yes. And science is an evolving process as well. We're in the midst of some increased funding where we have just had a report submitted from FRDC funding, which has just come back from review, which again I put some minor revisions to make but I would be open to making that available to the Committee as well once those minor reviews are made.

Mr JAENSCH - Thank you.

Prof TRACEY - Again, there were no concerns about either the Fishery Independent Survey or the model that is being developed.

Going forward, as I said, we're still evolving. We are working with a global leader in Management Strategy Evaluation Modelling, which is basically the kind of model that allows you to go, if we pull this lever, what will happen and start to evaluate what is the best management strategy going forward.

Ms FINLAY - I'm interested in continuing that conversation. How long do you think it would take to do that work so that you have the modelling available, whereas for instance compliance has been raised as an issue, but I'm not sure how materially impactful the number of compliance concerns are to the population. Are they the sorts of things - the levers - that could be pulled?

Prof TRACEY - We've touched on looking at compliance. It's a little bit more complicated, but it does things like what size limits, what bag limits, length of closure effects and so on based on the biology of the species, what kind of timeline would be expected to see things come back. That project is funded through till 2028, but we are in the throes of developing that now, and if that becomes available earlier than the end of that project, we will implement that into the fishery.

I think one of the key pieces as well - it came up yesterday - was should we have waited for harvest strategies on these models before making a decision? My thought on that is that given the models that we were using were showing that we were in such a low-biomass state potentially that to de-risk this situation is we want to move back to that 20 per cent limit reference point, which is nationally recognised as a point we should be at. Then, in parallel, we developed this model, which goes, where do we go from that? Basically 40 per cent biomass is again a national standard for where you would want to be seeing a biomass target. But, with recreational fisheries that can potentially be higher than that, 50 per cent because they want a higher catch rate, or larger fish.

I would suggest there is no need to defer making a decision to get us back above that limit where we don't want to be below, but then, in parallel, we work with these new models and through consultation identify what targets do we want to be hitting. That discussion will be happening over the next 18 months as this model is developed.

Ms FINLAY - Can I ask about the research area that's been identified down in the Channel? Can you tell me what specifically is happening in the research area, and how big that area is? And whether a part closure limited just to the research area just on sand flathead, so not limiting that research area to other activities, how that might be useful for research in terms of having an area that is set aside for research with all of this work that's going on, without actually closing the entire zone?

Prof TRACEY - I don't think we've actually - or there is a defined research area as such at the moment. Basically, as part of the stock-enhancement project we looked at areas that would be opportune and of interest to put the flathead into, and the Channel was selected because it has been an area subject to very high fishing pressure in the past. Also, proximity to boat ramps and to work, so if we're trucking fish down, putting them in from Margate. The D'Entrecasteaux Channel was chosen for a number of reasons, and also ability to monitor the fish in the channel as well. We've done some acoustic telemetry work that shows that once they're in an area flathead are fairly resonant, as in they won't leave that area too much. We see that as an opportunity to rebuild, particularly when I say rebuild what we're looking at trying to do is re-correct the size structure of the fish. So, one of the things I think you heard yesterday is, in the south-east, the size of the fish is a lot smaller than some other areas, particularly as you get up towards the Furneaux Group. What we will potentially look at doing here is bringing some of the genotype and those faster-growing individuals from the Furneaux Group and bringing them into the channel to rebalance that changing population structure. Again, that recent report I just mentioned, we actually have some evidence from CSIRO sampling back in the 1990s that the average size of sand flathead in the south-east was about 20 centimetres bigger than it is currently.

Ms FINLAY - So, that targeted effort is going to remain in the channel area because of the ease of access, because they're resident and you can measure and understand what's happening there; is that likely what's going to happen over a period of time?

Prof TRACEY - That would be an area we would look at, as I said, for the deployment of the fish; but the other thing, once those fish become part of the breeding population, the dispersal of eggs, obviously, will occur into other neighbouring areas, such as the Derwent River, Norfolk and Frederick Henry Bay and, more broadly, through what would - again, there's no direct link, from my perspective, from the research perspective, in the area that was chosen

to be closed and this, but there will be tangential benefits of having that area closed as eggs from these new genotype fish disperse out into these other regions.

Ms FINLAY - Thank you. Can I just ask another question: one of the things that came through yesterday was the decision in 2023 and the new decision now. You've been talking about quick - so like as quickly as possible. If the 2023 measures were maintained, and the new compliance of landing whole as introduced, is introduced, is it a matter of a difference in time of rebuilding between those two management actions? Is that what we're dealing with here? It's a difference in the rate of recovery?

Prof TRACEY - Yes, that's the key thing. The other thing in the national classification of 'depleted' is that there is evidence of recovery, which is the bit that moves us from depleted to recovering, which we are hoping we see in the next year or two. Either way, I would be very much hoping that we see that needle, as I said, change from heading down to heading up. So, yes, it would be a matter of time, but also the logistics and doing things efficiently, effectively, in a resource-constrained environment.

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 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.

Ms ROSOL - You talked earlier about the phenotypical changes on the smaller fish in the south-east. I'm just wondering the other management mechanisms that are being proposed, as opposed to the closure - reducing bag limit to one, reducing the slot size further - would those other management mechanisms have an impact on those phenotypical changes that we're seeing, do you think? Would it have an impact within a meaningful timeframe?

Prof TRACEY - The phenotypic and genotypic correction will take some time; it takes generational time to do that. One of the key things I think that we've implemented - again, very contemporary for fisheries management, particularly in Tasmania, it's the first time it's been implemented in the marine fisheries is the slot limit. That's adding protection to the larger individuals. The larger individuals generally produce more eggs and we also heard yesterday that they are disproportionately female. One of the challenges at the moment, and what we will look at in the management strategy evaluation model, is have we set that slot correctly? We also heard yesterday that 35 centimetres means that we are not potentially getting many fish coming through that are actually available to harvest, so the value of the fishery is very low at the moment; but there are also very few that are making it through above that slot limit, above the 40 centimetres, particularly in the south-east, to get to be afforded that protection. So allowing some to grow through, you know, again, the closure period would benefit this, some of those to grow through as we see an adjustment back in the population structure would be of benefit; but we will absolutely assess whether it is actually prudent to move that slot left to actually provide more protection to the top end and a bit more accessibility to that lower end. So you're actually starting to be able to catch males more frequently as well as females, so you're not disproportionately taking the breeding females out of the population.

Ms ROSOL - Thank you. Just probably similar to that, I think 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 they haven't - 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.

Mr JAENSCH - Thank you. Professor, in your submission to us, you make reference to the Southern Sand Flathead Assessment 2025, Nils Krueck and others, including your good self, in that. In the executive summary of that there are a couple of statements that refer to the southern sand flathead fishery being at risk of not recovering, and further on says, 'Without strong action, sand flathead may not recover.' What does 'not recovering' mean in terms of a recreational fishery. What does it look like?

Prof TRACEY - It's probably going back to that point about moving the dial again, from if you're constantly down with the low biomass and the fishing effort is enough just to suppress it so it can't actually rebuild, so it's not moving to an extinction state, in kind of fisheries science terminology; it won't allow it to recover or rebuild if you keep suppressing the biomass recovery that happens each year basically. So it's removing enough pressure so you can see a rebuild and the target - sorry - our first target will be the limit reference point of 20 per cent spawning biomass.

Mr JAENSCH - The statement there was: without strong action may not recover; so if it's not extinction of the species, what does the non-recovery of the fishery look like to fishers and to its utility?

Prof TRACEY - Yes, okay. Thank you for clarifying. So functionally all fisheries are assessed against what would be called the 'virgin fishing biomass', so that's the biomass pre-fishing. So what we're saying is, that it won't be able to recover towards a virgin state, a pre-fishing state. We're never going to get to that level, but that's where we say the 20 per cent level is the limit that you don't want to be getting below, and 40 per cent is generally around the area that they call maximum sustainable yield, so that's where you can maximise the yield from the fishery and sustainably harvest from it. So it's recovery towards those targets in terms of relative to the virgin biomass.

Mr JAENSCH - It sounds like it's about passing some threshold of resilience in that fishery. What happens if a fishery doesn't recover, though? Does it sort of persist in an unsustainable way, or does it continue to decline because it's not replenishing itself?

Prof TRACEY - So most commonly it would persist in an unsustainable way, in the traditional sense from commercial fishing, where this would usually be assessed, and I'm sure Mr Garland would agree, is once you can't catch enough fish to make it economically viable to do it, you just don't do it. That's where it's down in the weeds. Similarly for a recreational fishery, if you're not getting lots of enjoyment and it's not really something you can go and target, again, you would go and focus on doing other things. It's enough just to keep cutting the grass and keeping it short, but you're not really getting much value out of the fishery.

Mr GARLAND - How are you doing, Sean? My Marine Environment Act, which the intent of that is to have the scientists, recreationals, commercial, and all the different community groups at the table - would that short-circuit this situation we're in now, where everybody is saying that they weren't consulted? There's dispute about - not of the effectiveness of the science - but the different approaches, different science. Wouldn't that be a more prudent way and also a time-saving and cost-saving method to inform everyone so we're not sitting around having these committees formed in the future?

Prof TRACEY - Thank you for the question, Craig. That's a complicated question. I think in terms of fisheries management, we have enough complications as it is at the moment in terms of trying to resolve some of these things, but I would see them working very well in parallel with an environment legislation if that was to develop. I think there are a lot of other complications that would bring in, potentially, further information and further input into this. But again, decisions need to be made, and I think providing some clarity around that evidence to make those decisions is important.

Mr GARLAND - Just one more, because I probably won't get another one. Your approach with what we're doing, would that be perceived as the quickest way home? The most effective, quickest way home to achieve the answer we're trying to?

Prof TRACEY - I would like to reiterate that this is not my approach. What I'm delivering is the information that would suggest that this stock is well below the national threshold of 20 per cent, which is the limit reference point. We have limited information in the absence of a capped standardised catch rate to understand how we're tracking in this high-risk, low-biomass state. Our advice would be that reducing fishing pressure to recover back above that limit reference point as quickly as possible would be prudent and that management strategy evaluation and harvest strategies are then brought into place to understand where we want to take the fishery.

Mr Di FALCO - You've stated that hatchery-based enhancement is potentially a complementary tool rather than a substitute. What would need to happen if we decided to go down the hatchery-based enhancement route? What would need to happen for that to be effective or viable?

Prof TRACEY - We are going down that route. As was discussed before, we're going to start a project later this year. It's been funded and we'll look at using broodstock from the Furneaux Group and growing them out at our research facility at Taroona and then transporting those fingerlings into the D'Entrecasteaux Channel. Then we'll do an assessment basically in terms of understanding - we'll look at genetic markers that we can then trace those fish relative to the fish in the population. What we want to see - the theory or hypothesis here is that this will be a turbo boost to correcting that population structure and getting some of those larger fish that we know did exist in the south-east back into the population and ideally allow them

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time to go through and be protected by the maximum size limit - the upper end of that slot limit so they can then contribute ongoing in terms of producing high-quality, fast-growing, large-genotype flathead into the population in the south-east.

Mr Di FALCO - Thanks for that. I was under the impression it was going to be a direct transfer. Obviously not.

Prof TRACEY - We will do both. We're hedging our bets. We've got translocation of a number of - it won't be a large number - but a number of larger breeding stock that are already above that 40-centimetre level. They will have protection if they were to move out of the closed area, for example. We're testing whether they can do it on their own or whether they need a bit of assistance from us doing some enhancement and bringing them back in as well.

CHAIR - Thank you. Before I go to Ms Finlay, I will just check, Rob do you have any questions?

Mr FAIRS - No, not at this stage, Chair. Thank you.

Ms FINLAY - Thanks, Chair. 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. I'm just wondering, the increment of going from two to zero. Can you just talk about the difference in those measures?

Prof TRACEY - I think, going from 20 to two, and I think we will go back a little bit further here as well. This is not a new issue with this fishery. There used to be no bag limit on this fishery in the '90s and a 30-centimetre size limit. So, people were taking a lot. I think the issue with this fishery has happened well before our contemporary assessments of it. You talk to people, and there were garbage bins full of sand flathead being brought in at times back in the past. The fishing effort, unfortunately we can't demonstrate it, but very, very high in the past. We also know non-compliance was very high in the past, and Dr McShane mentioned it yesterday that Dr Lyle had produced a report in 1995, a creel survey, so people at boat ramps, scientists measuring fish, and it was somewhere between 30 and 40 per cent of the fish that were brought in, were undersized.

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.

Importantly, what that does, and I think it's not particularly welcomed by fishers or anyone, all we've really been doing is slowing that decay, which leads to this death-by-a-thousand-cuts management style where we're constantly reducing and reducing and reducing

and reducing rather than taking a little bit more affirmative action to adjust that needle so we can actually rebalance things and reset and put the value back into the community from that these fisheries can afford.

In terms of the two to zero, the model that we actually used said it needed to be a little bit less than two, but obviously you can't go 1.8 fish. I can't remember exactly what the number was. So, two was picked at the time as the pragmatic piece and I think it was discussed yesterday from the NRE contingent that it was that balance of trying to afford some availability of the fishery to fishers.

Since then, obviously they've also reflected on the other information around compliance and other things, and they've made the decision that they have done.

A really important thing to note here is that fishing in the south-east is not closed. You can still go recreational fishing in the south-east for other species. We are seeing a lot of people now focusing on yellowtail kingfish, snapper, some of those other species in that mixed bag that was discussed yesterday. This is not only a benefit to them diversifying their fishing portfolio and developing skills to make the most of other species that we have available in Tasmania, but then when the sand flathead fishery does come back online, we have people with the skills to then continue to apply a diversified approach to their fishing. So again, taking that really targeted pressure that we've had on sand flathead for a long period of time, they'll now diversify that effort.

We talked about education yesterday. The other bit is diversification of the opportunity that the fisheries in Tasmania affords and not putting all your eggs in one basket.

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?

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.

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 discussive. 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 discussive manner.

Ms FINLAY - The only reason I ask that question is one of the terms of reference of this Committee is to consider and understand alternative management measures that may have been available at the time. How would you suggest that the Committee is able to access that information or provide some quality contributions in our report, because, so far, everyone has said that advice is never written down, it's only ever discussed. It's one of the parts of terms of reference for the Committee.

Prof TRACEY - Yes, I can take it on notice and see if anything was written down and maybe that's a recommendation going forward, is that we formally write down. It's interesting in the stock assessments, is do we put the advice in the stock assessment or do we allow it up to the managers to make decisions, and they may ask us questions about, 'Well, if we do this, what does it mean? What might happen?' - which is generally the way it will happen. That's why it's discussive because it's an ongoing, consultative process. As I said, in the past, there have been many groups involved in that discussion as we have them both included in -

Ms FINLAY - Could I ask then - maybe there's two things that you might be open to taking on notice to provide to the Committee. One is consideration of the range of options that were discussed, because alternative management is one of the terms of reference. The other is whether, in your advice, if you could go back and confirm whether bag limits was a subject of that advice.

Prof TRACEY - Yes. I'll take it on notice.

Ms FINLAY - Thank you. Appreciate that.

CHAIR - Does anyone have any further questions?

Ms ROSOL - I do, but it's a little bit of a down-in-the-weeds question. In the NRE's submission, they said that, in that independent survey that takes place, there are 80 to 100 fish, the first 80 to 100 are landed and retained for assessment and then any caught beyond that are measured, tagged and released. I was just curious around how many more are being caught beyond that and what kind of figures there are, if you have data and info on that?

Prof TRACEY - I don't have it at hand. I can explain a couple of pieces there. We take the first 100 fish from each site, so noting that there's somewhere between 10 and 20, I think - I might have to check the numbers - between 10 and 20 sites within a region. There's a nested sampling design here. The reason we take them is we actually have to destructively sample those fish to take the ear bones, or the otoliths, out to age the fish. We heard yesterday about assessing the growth - they grow rings like on a tree, and that's how we age the fish. We keep taking fish within the allotted standardised fishing time if there are more available, and we release those and just measure their length. The reason that we can't use them more broadly is that we don't know the sex of the fish, and the model is based on the female population, as the egg-producing population. So, we don't know, and we heard before - we also know there's quite strong sexual dimorphism and that females grow larger than males.

I think another piece to give the Committee, perhaps, confidence and in the report I'll table, one of the objectives of that report was to do a deep assessment of the fishery independent survey. So, the funding was to allow us - one, keep in mind that, originally, this was just occurring in the south-east, this survey - so part of the funding was to expand to the rest of the

state to see if we were seeing issues in the rest of the state. We've done that, but now we've done some fairly deep analytical work to look at how best to structure that survey to get better, robust data. The outcome of that report is functional. We will probably reduce the frequency that we do it in the north-east and increase the number of sites that we have in the south-east. Dr Lyle mentioned yesterday, why haven't we increased the number of samples? It's not actually the number of samples per site. We actually need to increase the number of sites to get a good statistically robust number.

That was an objective of that report which was funded, and now that result has come in and been assessed and we will react to that and that, as I said, being reviewed by an independent reviewer as well through the FRDC reporting process.

Ms FINLAY - Is that now funded? Having extra sampling sites, to what level of funding have you been able to secure that?

Prof TRACEY - That's going to be the biggest challenge. Moving forward is that, once all this additional funding goes, we are back to just our BAU funding and part of what we're looking at doing is how we use those funds efficiently.

Ms FINLAY - Are you saying that the SMRCA drops back?

Prof TRACEY - No, not the SMRCA. There's additional leverage funds that have come from the Fisheries Research and Development Corporation that have allowed us to, as I said, turn the microscope on this. But, as Dr Lyle explained yesterday, this is a small survey component of what was the BAU for the SMRCA in terms of also assessing 20 other scalefish species and our high values like rock lobster and abalone.

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 - I tried in my last 30 seconds.

Prof TRACEY - I would be happy to provide an answer.

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. It wouldn't be reasonable to expect that you would have a full-blown assessment through it and data collection methodology for every single -

PUBLIC

Ms FINLAY - No, I'm not being unrealistic, but I know that there has been public commentary around realistic expectations of SMRCA versus what you're actually offered, delivered.

Prof TRACEY - Yes, I'm happy to do that.

Ms FINLAY - Thank you.

CHAIR - Excellent. Thank you. And with that, I will thank Professor Tracey for his appearance. Professor, what you said to us here today is protected by parliamentary privilege. Once you leave the table, you will need to be aware that privilege doesn't attach to your comments that you make to anyone else, that includes the media, even if you're just repeating what you've said to us today. Do you understand that?

Prof TRACEY - I do.

CHAIR - Thank you so much.

The Committee suspended from 10.04 a.m. to 10.45 a.m.

PUBLIC

RecFishTas

CHAIR - Welcome to today's hearing into the closure of sand flathead in the south-east of Tasmania and thank you for your submission. Could you please state your name and the capacity of which you join us?

Mr STANFIELD - Thank you: John Coulton Stanfield. I'm representing RecFishTas, also an extremely keen recreational fisher with good insight into the views of the recreational community, and I'm happy to share those views with this Committee.

CHAIR - Thank you. Can you confirm that you have received and read the guide sent to you by the Committee Secretary?

Mr STANFIELD - Yes.

CHAIR - This hearing is covered by parliamentary privilege, allowing individuals to speak with freedom without fear of being sued or questioned in any court or place out of parliament. This protection is not afforded to you if statements that may be made are defamatory and are repeated or referred by you outside of parliamentary proceedings. This hearing is public. The public and media may be present. Should you wish any aspects of your evidence to be heard in private, you must make this request of the Committee at this time.

Mr STANFIELD - I make no such request.

CHAIR - Thank you very much. I will introduce the Committee: we have Mr Di Falco at the end; Mr Garland; Ms Rosol; Ms Finlay; Mr Jaensch; Mr Fairs is online; and my name is Meg, or Ms Brown, if you like.

Mr **JOHN STANFIELD**, RECREATIONAL FISHING IN TASMANIA (RECFISHTAS), WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED.

CHAIR - Would you like to make a short opening statement?

Mr STANFIELD - I'm happy to take guidance from the Committee. I've got notes that take about 20 minutes to go through, which would leave 10 minutes for questions, or I'm sure that you've got a number of burning issues that you'd like clarity on, so up to you. My preference is to go through the notes that I've made, they're fairly pointed and they keep me on track. Anytime during the presentation you can break and ask questions, knowing that I've got 10 minutes at the end which would be available for questions anyway.

CHAIR - Is the Committee happy to operate that way? Yes. Okay, over to you.

Mr STANFIELD - Okay. Thank you very much. Thank you very much for allowing me to present to this Committee, it's incredibly important that the recreational voice is heard. I've broken it into four areas, which are the focus areas identified on the web for this committee, the first one being interpretation of stock assessment and scientific research. I suppose the first point that I'd like to make is: where we are is failure. So anytime that we allow a fishery to be reduced to the point where we need to close it, and the conversation includes that the biomass is so low that recruitment may become impaired, then we need to accept that that's failure,

absolute failure of management of the fishery. We also need to share responsibility both for that failure and for the remedy.

Reading through submissions, there seems to be argument around the agreement that sand flathead stocks have declined over time. There's a wide agreement that the larger fish are less prevalent than they have been in the past. The association of recreational fisher satisfaction and stock or fishery health is referenced regularly. The changing size limits have contributed to that, but it is clear that fisher satisfaction has diminished along with the capacity of the fishery to provide. Science is a broad term: it includes a weight of management responsibility along with the more traditional advice around stock assessment, life cycles, size at sexual maturity, habitat changes, et cetera. So what we're seeing is, we rely on science, but where we are is failure, and there seems to be management responsibility that is claimed to be science that clearly isn't. The pure science around stock assessments, number of fish, sexual maturity, production rates is what I think of as the science, and then there's management decisions that enable harvest associated with that science, but I don't consider that to be science even though it's labelled. I think there is an important point to be made there: that science is at risk of losing credibility if that continues.

A brief summary of submissions is that there's agreement that larger fish have reduced in number, but also that the legal minimum size has changed over the years: 30, 32, and 35 centimetres have been implemented, but those size limits protect a significant spawning biomass and therefore the emergency closure is unwarranted. I'm neutral on the closure. My personal observations are consistent with what is being said, although my retained catch prior to 2023 hadn't changed significantly in 10 years, so those larger fish have been unavailable to the fishery, particularly in the closed area which is where I fish the most, for probably around 10 years.

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.

This is a very simple graph: the vertical axis is the percentage of biomass, so at the top you'd have 100 per cent and at the bottom it would be zero, which is where the fishery becomes extinct; and the horizontal axis is time. Sorry, I'm shaking a little bit - but the green line is the target reference, generally set at about 40 per cent for fisheries. I've got a view on that being a little bit too low. Like you think, as a human being, we should enable species to at least be half of what their virgin biomass is. The yellow line is the trigger reference and below that is the limit reference point. So, limit reference point is generally set at about 20 per cent -

CHAIR - I'm just going to butt in here. Would you mind tabling that one for the Committee?

Mr STANFIELD - Yes, for sure.

CHAIR - Thank you.

Mr STANFIELD - So, limit reference is generally set at 20 per cent and, in reality, in a pure science perspective, that's when fishing should stop to allow the fishery to rebuild. So, that's a trigger that can be set in place: stop fishing at 20 per cent. The other triggers can be enacted at a range of percentages. They're not all a single line where we reach this point and everything's implemented at the same time. Triggers include: bag limits, boat limits, size limits, reduced take and no-take areas, season closures, number of commercial operators, gear types, restrictions, transit provisions, landing fish whole.

There's more than that, but the triggers that we have available are already in place. It's just the capacity to understand when they're going to be enacted and at what level of severity that they can be enacted at. There could be a very long conversation about what and when triggers should be actioned; suffice to say that we should never be having conversations where recruitment is at risk due to low biomass. Recreational fishers generally want stability. Getting to the point where spawning biomass is reduced to single-digit figures is irresponsible management and, to be clear, management responsibility rests with the Minister and the Department.

A couple of points on current management: size at 35 to 40 centimetres, I believe, is flawed, as the vast majority of fish harvested are female, so size of flathead at 35 centimetres when I clean them, better than 95 per cent of the fish are females. The upper-size limit does not adequately protect larger fish in the closed area. So, the closed area, you've seen the graphs that are available in some of the submissions, where there's a dotted line at 32 centimetres and a solid line at 35; then the number of fish that they've found above 35 centimetres is very low. If you took that out to 40 centimetres, then there's virtually no fish there. What that means is the fish that are currently in the closed area are, or will be, available for harvest, so that protection mechanism isn't actually in place from the size limit or the slot limit that's been put in place. The size model may need to be suited to each area, but when the fishery reopens, the slot limit that protects larger fish and enables male harvest is necessary.

Given where we are, the lack of a credible management tool is incredible. Over time, ministerial responsibility has been held by Liberals: Rockliff, Barnett, Palmer, Abetz and Pearce; Labor: Giddings and Green; and Cassy O'Connor from the Greens have also had portfolio responsibility. So, over a significant period of time where fisheries in Tasmania have been declining, whether they're depleted or depleting is a different story, but they have been declining in that time, and none of the three major parties in Tasmania have seen fit to direct the Department to come up with a harvest strategy and implement it.

Back in the 1940s, there was probably no reason for strict controls, as most fish populations were healthy. Now, we have reliable outboards, larger boats, GPS navigation, sonar, sounders and social media, fish stocks are under more pressure than they have been in the past.

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.

Currently, stock assessments are conducted each five years and do not include assessments made from the size and bag-limit changes implemented when Jo Palmer was the

Minister. The bag limit reduced to two and the increase to 35 and a maximum size limit of 40 centimetres was done in 2023. Five years from then leaves the next assessment, which would enable understanding of whether there's been a positive, negative or neutral effect from those changes. The closure isn't actually science-informed. It's somewhat strange to me because those significant management actions had been accepted by the recreational community and we don't know the results, and yet we've seen a closure as a result anyway.

A recommendation from this Committee should be to reopen the fishery, noting as a precursor that a harvest strategy should be agreed prior.

There are discrepancies between anecdotal evidence of commercial sand flathead landings and reported commercial catch, and that comes from conversations I've had personally with commercial fishers working Norfolk Bay, where they've told me quite clearly that they've landed 10 tonnes of sand flathead in a single year, and yet those numbers are not reflective in the catch rates that are made available through IMAS reports.

This Committee should recommend a higher level of scrutiny of sand flathead landing, sales and purchases. There is no research to understand the impacts of salmon farming on sand flathead. It is widely believed across the recreational community that salmon farms negatively impact sand flathead survivability and recruitment success. Reasons for that or the discussion points that I've been involved in scallop industry, or the recreational scallop-taking in the D'Entrecasteaux Channel has been closed for about 12 years. A life cycle for scallops is about seven years, so we're talking about five full life cycles and there's still insufficient fish to enable a reopening for harvest.

The association with the channel and salmon farms is quite clear and people, laypeople like myself make the observation that there's a lot of salmon farms there and fisheries aren't recovering as quickly as we expect that they should. Along with that, the prevalence of salmon farms in the closed area is significant and the widely publicised use of florfenicol within the closed area is also contributing to recreational fisher confidence of management.

This Committee should recommend research into the impacts and remedy of salmon farm practice on fish that live in the benthic zone.

Ecosystem management needs consideration. Trawl and Danish seine fisheries have impacted inshore movement of tiger flathead. I understand completely that that's a different species, but 25 years ago tiger flathead were prevalent in the closed area. Personally, I caught plenty of them in Frederick Henry Bay and in Norfolk Bay. Since the trawl industry accessed the waters off the east coast, those tiger flathead runs that we used to see in summer simply don't occur. The ones that do get through are also targeted by the Danish seine industry that works in Storm Bay.

While the tiger flathead fishery is reportedly well managed at a target reference point of 40 per cent, we are experiencing range reductions and localised depletions, particularly in the closed area. So, the impact on recreational fishing is, when tiger flathead were there, they formed part of a catch. Your bag limits might be 20 or 30 fish and half of those fish would be tiger flathead. Now, the tiger flathead don't get in there, so people focus on sand flathead until they catch the same number. There's an increased pressure on sand flathead due to the Commonwealth fishery and the Danish seine fishery to a lesser extent.

The trawl fishery for tiger flathead or by association with jackass morwong is closed at the moment and under review between Maria Island and Bruny Island.

It would be great if there were negotiations between state and Commonwealth bodies where the realisation that that localised depletion is a thing that is affecting recreational fishing in Tasmania and some negotiation take place where we can see the return of those tiger flathead runs into those sheltered waters in Tasmania's south-east.

Environmental, social, economic impacts of the closure: the environmental impact of the closure can only be a positive. The high likelihood is fishing pressure will reduce and the stocks will increase along with the maximum size. Sand flatheads are long-lived fish of 20-plus years and attain legal size generally in the first half of their life. Growth slows in the later years of their life so it's going to take a while for the fishery to recover. With that availability of larger fish, the consideration needs to be that they'll probably reach 35 centimetres - and probably 32 is more accurate - I think growth really slows at around 32 centimetres. For them to reach the 48 to 50 centimetre range, which is what's considered a large fish, is going to take a few years.

Education needs to be targeted and relevant. Personally, I think a focus on sand flathead is a mistake. Teaching how to target other species available in the closed area will be important. A few things that I've been doing lately, which is targeting snapper, which can include education around how to burley without attracting sharks because the closed area the majority of the time is a shark nursery area. Mullet on bent minnows, salmon on fly, there's a range of species that live in the closed area that could be targeted easily by the recreational community, but there's no significant engagement to give them understanding of how to do that or encouraging them to do that.

Most of the people that I fish with want to retain a feed. Flatheads are easy to catch and delicious. That's probably why they're depleted. Food security needs to be recognised as a part of fisheries management, particularly for recreational fishers. A lot of people that I talk to do consider that take-home feed as part of the value of recreational fishing, but also the justification that if they go fishing they get something at the end of the day, like a delicious feed, whereas if they played golf then there's not a lot to take home at the end of it, so it is a consideration and it becomes part of food security.

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, deservedly, we should have a higher level of influence on decisions that are made.

The closed area is mostly smooth waters, so it is a significant consideration that calm waters in Tasmania are beneficial, particularly for young families and inexperienced boaters. Closing a fishery like sand flathead, which is the most popular recreational species, effectively turns people to other areas to target the same species, rather than staying in sheltered waters to target other species, so there needs to be some consideration of that.

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.

Ms FINLAY - Thank you.

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. 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. Commercial effort is included in the NRE submission for reopening, and that would be a point of disagreement for the recreational sector.

Ms ROSOL - Can I just ask a question there: you've said that there was no consultation and you phoned up for information. We heard from NRE yesterday that TARFish can exercise some discretion about information that it passes on to members and they were consulted in the months beforehand in the lead-up. So you've said you haven't heard; did anyone else? Did you hear from people who -

Mr STANFIELD - Personally, I'm blocked from TARFish's social media. 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.

Ms ROSOL - So you'd like to have been included in the consultation with the government, and haven't been? Yes.

Mr STANFIELD - 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.

Ms FINLAY - I also think TARFish would contest that comment yesterday about consultation; they're on the public record saying there wasn't any consultation.

Mr STANFIELD - Like this is a sand flathead inquiry, but like TARFish has limited conversation around other species. When garfish had a closed season and a reduced bag limit there was basically zero conversation with the recreational community. They released a discussion paper on calamari management the day after submissions closed. You know, like

when I say the Department are disengaged and disingenuous, I would use the same description for TARFish in their engagement with the recreational sector. Like, I think there's a very broad gap that needs to be filled, that open and honest conversation, that engagement with recreational fishers: one, to get agreement on decisions that are made, but, two, to inform those agreements, is missing at the moment.

Okay. We went through commercial effort. NRE consult with relevant, certified fishing bodies, which is Seafood Industry Tasmania and TARFish: limited engagement is absurd and drives poor decisions and outcomes. NRE talk about developing a harvest strategy in 2026, but advice has been available since at least 2014 that sand flathead, or the sand flathead fishery, is depleting. NRE in their submission included that the Department 'will continue to use best-practice fisheries management approaches to guide its decision'; I throw my hands in the air in frustration, and go: what best practice? The fishery is closed and they don't have a harvest strategy. We are floundering without direction, and there is nothing to lean on to guide decision-making, the Department leave us in a position where we are unmanaged and the fishery is unmanaged; to claim that they're going to do more of the same is absolutely absurd, insane.

Ms FINLAY - Agreed.

Mr STANFIELD - It goes on to say, 'We will continue to consider all options available to ensure fisheries are managed sustainably.' A reality check needs to be sent to the Department and the Minister. It is entirely unacceptable that any fishery is managed so poorly. It is unforgivable that the managing body think continuation of their failed process is acceptable for the future. This is in relation to sand flathead, we've closed the fishery, and I think in broad terms that's a good idea as far as sustainability goes. Removing recreational and commercial pressure from the fishery inevitably is going to be a good thing from an environmental perspective; but there are other fisheries, and I use bastard trumpeter as an example, where stocks in the closed area are lower than sand flathead, they are not protected by a minimum size, which gives them a protected size to be breeding, and the fishery is still open.

You know, we have a list of fisheries in Tasmania which includes crayfish, abalone, garfish, flounder, striped trumpeter, scallops and tiger flathead, where each of those fisheries in Tasmanian waters, or at least part of Tasmanian waters, are in decline and there's no harvest strategy enabling understanding and agreement on how they should be managed. We have emerging fisheries like King George whiting, snapper and kingfish and there's no harvest strategies for them either. So please, a recommendation from this Committee needs to be that we have overarching legislation that Craig is working on, but we need to have species-specific harvest strategies where everybody understands how the fishery is going to be managed, and it's not a shock if they drop down to 20 per cent, that we go, okay, we're going to close them for a while, because what we have at the moment is fisheries getting to 4 or 5 per cent of biomass, and what you're guaranteeing is a very slow rebuild time. If those management actions are enabled earlier, when the biomass is higher, the recovery time is reduced. So, we really do need to have harvest strategies in place and they need to be accepted by the community, commercial and recreational, that that's the rules and that's how it's going to go.

Ms FINLAY - I was just going to comment on that, that 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've been advocating for harvest strategies, particularly those three points target reference. I wouldn't die in a ditch over 40 per cent, but I think it does need to be at least half of the fishery. The limit referenced isn't widely - we don't stop fishing at the limit reference. There's no harvest strategy that demands that but, in reality, we should do. So, I agree, the IMAS information on stock levels is generally accurate - like I generally agree with what they say from my own observations. 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.

Ms FINLAY - The other thing that was said yesterday - I don't know if you have a comment on this - is that the investment required to restock, or the breeding programs and things, is significant, but the investment required to do the harvest strategies hasn't been provided. The last thing I remember seeing in writing, which was some time ago now, in terms of delivering certain harvest strategies, was they were giving themselves a target of 10 years to deliver the harvest. I mean, if we're going to deliver harvest strategies, they need to be done as a matter of urgency, because 10 years -

Mr STANFIELD - I think they should be done prior to the fishery opening. So, when you talk about -

Ms FINLAY - They should have been done before it closed.

Mr STANFIELD - Absolutely. You need to set flathead aside, because that boat has sailed, but when you're talking about King George whiting, snapper, yellowtail kingfish, to a point, because they're very migratory; but certainly sardines in Bass Strait, we should absolutely have a harvest strategy in place before those fisheries open. That makes sense.

Ms FINLAY - That requires investment.

Mr STANFIELD - Well, the harvest strategy itself, a lot of the science is already available or would develop over time. So, use Bass Strait sardines as an example: there's only one stock assessment in place, but there will be more, so we will have an understanding of what the biomass is. There's a lot of science that goes in behind that, but those target trigger reference points and the limit reference point need to be understood and agreed prior. That takes away all of this angst and disharmony associated with decisions that people aren't prepared for.

Ms FINLAY - Because that's the other problem with it being closed now - we've heard a lot of evidence, yesterday as well, to say that, without all of this information, what are they going to base their decision on to reopen? That's the worry in terms of having this closure: how are they going to decide to reopen?

Mr STANFIELD - You're quite correct. That's a perfect observation. Well, like I get to my last point, which is about what evidence is required for reopening, and I'm going to rely on the harvest strategy information which hasn't been done yet; but I think, as a priority, it really does need to, because reopening needs to be included in the harvest strategy. So, everything is underpinned by a document and stakeholder engagement in developing the harvest strategy - there's an enormous cross-section of the Tasmanian community that access our

marine environment. Not all of them are there for harvest; so there's environmental groups, there's divers that just go to look, they don't harvest, there's recreation and commercial fishing as well, we've got seismic testing going on around the state. There's a whole heap of influences on our fisheries that need to be managed, and there needs to be a semblance of agreement or acceptance of what our harvest strategy is going to be.

Ms FINLAY - No surprises.

Mr STANFIELD - Without that, we're left floundering; and you can do your own research, the number of depleted and depleting species that we have in Tasmania is an embarrassment, really. So, we really do need a structured plan on how we're going to manage our marine estate and, at the moment, that is a key area where we are lacking; we, as Tasmanians, are lacking a dedicated plan on how we're going to manage that.

Ms FINLAY - That's one of the things that, informally and off the side of the desk, Craig and I have had a couple of conversations about; but I think what you just said then - the marine estate - I'd really encourage the Marine Environment Act work to actually become a piece of work around marine estate. It actually considers a much more complex and interacted - because there's so many pressures and so many different uses in the marine estate -

Mr STANFIELD - There are. My focus is harvest, but I love feeding the albatross when I'm out on the shelf. I engage in the marine environment; I like looking at whales and dolphins. There are positives that you see from climate change, like the emergence of snapper And King George whiting is the definite positive. Centrostephanus is a negative. We are also seeing a lot more jellyfish blooms than we have in the past, and we're also seeing a lot more algal blooms than we have done in the past and their density is increasing and the frequency is increasing as well. There is an enormous amount of work.

Mr JAENSCH - Could I just ask, if John's got some more notes he wants to get through, I really want to hear them. With the time available then for our questions.

CHAIR - We are at 11.15 a.m. which is your allotted time.

Mr JAENSCH - I do want to make sure John gets to get his points out.

Mr STANFIELD - Okay. Certified fishing bodies: as a recommendation from this Committee, it would be beneficial if RecFishTas be given certified fishing body status so that we can sit at the table and have these types of discussions. TARFish don't connect well with all recreational fishers and Seafood Industry Tasmania is a commercial entity.

Another point would be, NRE mentioned Fishing Advisory Committees which no longer exist. They put it in their submission, but those advisory committees have been abolished now. The minutes from such bodies were extremely helpful to understand management actions as an associated discussion. Some of my most popular posts on RecFishTas, which is a Facebook page currently, were around Danish seiners and the impact on tiger flathead. I could take a picture of a Danish seiner at Constitution Dock and a screenshot of the minutes from the Scalefish FAC and generate an enormous amount of understanding and discussion within, you know, like an online community. They are simply not available anymore, and that is a significant detriment to somebody with an interest being able to understand what's happening.

Another recommendation would be that we reinstate the FACs and the simple part of that is that the minutes were publicly available. The transparency around marine estate management isn't what it used to be, and it should be. This is a shared resource. Everybody owns it. Everybody should take an interest and an understanding of it. It is like we are pushed into a corner without information to understand and contribute to discussions.

The last bit is evidence required to reopen. That's a very short conversation because we've been through the harvest strategy as part of my presentation already, and I think that harvest strategy needs to underpin the requirements for opening. You don't want that emotional conversation. Really the harvest strategy should be in place now, but it's not, so we're retrospectively building something that should already be there.

A harvest strategy would include if a biomass reduced to the point where recruitment becomes impaired, my view particularly would be that we would never let it get to that stage anyway. But if we did, then what are we looking for for reopening? If the limit reference were 20 per cent and we were at 20 per cent and that's closure, then what are we looking for for a reopening? That should be included with stakeholders at the table in agreement as part of a harvest strategy.

CHAIR - We'll just ask a couple of questions, but I'll go to people who haven't asked a question yet. Mr Di Falco.

Mr Di FALCO - You mentioned about salmon farms having a deleterious effect.

Would it have seen the flathead just move out to more favourable conditions?

Mr STANFIELD - I don't know, I haven't done the research. I don't tend to fish a lot around salmon farms. I did in the channel for a while, but I caught quite a few with fish pellets in them and I thought I'm getting too close to the salmon farm, so I stopped doing that.

I think fish will move to favourable conditions, but when you talk about the footprint of salmon, particularly in the closed area, then you're forcing fish out of a fairly significant area. And, if you start thinking about impacts of florfenicol, which is now 14 kilometres away from treatment sites and that's in resident reef dwellers like abalone and crayfish, scalefish is likely to be significantly more than that. There are a range of impacts coming from salmon.

I have had conversations with some jellyfish experts who've said the concept of increasing nutrient load at the same time as taking forage fish, particularly, out of Bass Strait, is insanity. I think there's a large or long conversation that needs to take place. At the moment, salmon seem to railroad every decision in their favour and there seems to be support for that, but the public support I don't think is the same as parliamentary and industry support, that influence that they have.

Ms FINLAY - If the fishery recovers, though, and the salmon farms are there, that will demonstrate that it's not the salmon farms that are causing the problem.

Mr STANFIELD - I think if you take Macquarie Harbour as an example where the deoxygenation of benthic layer is a known, you know, when you're talking about scallops, flathead, flounder, that reduced oxygen level will have an impact on them at some stage.

Ms FINLAY - Macquarie Harbour and those other environments aren't the same, though.

Mr STANFIELD - Yeah, yeah. But that's what I'm saying, I'm not saying that is evidence as fact, I'm saying that we need to have research to understand that, I think the research spend -

Ms FINLAY - Sure, but I think if there's a demonstration that the fishery recovers in the environment where the salmon farms are, then that - your earlier comment was that there's a reduction in sand flathead because of the salmon farms.

Mr STANFIELD - My comment was it's widely believed across the recreational community. So, like, they're not informed by research because that research hasn't been done. But what I'm suggesting is, research availability needs to be directed.

Mr GARLAND - Yeah, it's been mentioned that we've got recruitment from the sand flathead, but it's uncertain as to the level or how effective it is. One thing I have learnt is you have a surface barrier in the way of oil or any foreign substance, the things that can't swim out of the way of that are fish larvae. Sand flathead spawn in our inshore marine environment and I've seen oil slicks, as you would have done, coming from these salmon farms. They would have to be having an effect on fish larvae, because that larvae is released and moves and floats in the upper surface for a period of time. So that is a factor, and instead of us waiting to see if everything recovers and there's no effect from salmon, how about putting the stall on expansion of salmon at the same time? Would you agree that would be a good result? Because I've been around all those communities and around -

Mr STANFIELD - That would be widely agreed across the recreational community; conversations that I have - like not particularly well informed, but absolutely the association between salmon farms and closed areas is a given. Most of the conversations that I would have range from a direct accusation that it's salmon's fault to they don't want recreational fishers in the area because there's so many salmon farms, and that's more associated with mass mortality events, and the discovery and filming of that sort of activity becomes detrimental to the industry.

Mr GARLAND - So there's a range of things.

Mr JAENSCH - John, I just want to thank you for organising your thoughts and statements today. Your submission is more political in terms of representing where you stand in the specific issue, but the information you've given us today has been, I think, really well-considered and constructive. I know that you've got a constituency that is very broad and diverse and has a lot of opinions, and a lot of differing levels of whether that's coming from their personal experience or an informed, well-researched point of view, so I recognise that that's difficult to be able to speak for all of them, but I think you've done an excellent job of that today and I'm really grateful that you came along and spoke to us. Thank you.

Mr STANFIELD - Thank you.

CHAIR - Thank you, and with that, I'll thank you very much for making an appearance in front of the Committee, and what you've said to us here today is protected by parliamentary privilege. Once you leave the table, you'll need to be aware that the privilege does not attach to

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the comments that you make to anyone, including the media, even if you're just repeating what you've said to us today. Do you understand?

Mr STANFIELD - I do, but, like, my opinion's no secret. So I share information easily and widely, you know, like, not just through Facebook. I speak on behalf of or at Environment Tasmania meetings. I, you know, occasionally write opinion pieces for *The Mercury*, like my opinion is intentionally not secretive.

CHAIR - And that's fair enough. That's just to say that the parliamentary privilege will not be attached to those comments that are made outside of here.

The Committee suspended from 11.24 a.m. until 11.30 a.m.

Seafood Industry Tasmania

CHAIR - Welcome to today's hearing into the sand flathead inquiry. Could you please state your name and the capacity of which you join us?

Mr HARRINGTON - I'm Julian Harrington. I'm the chief executive of Seafood Industry Tasmania.

CHAIR - Thank you. Can you confirm you have received and read the guide sent to you by the Committee Secretary?

Mr HARRINGTON - Yes.

CHAIR - Thank you. This hearing is covered by parliamentary privilege, allowing individuals to speak with freedom without fear of being sued or questioned in any court or place out of parliament. This protection is not accorded to you if statements that may be defamatory are repeated or referred to by you outside of parliamentary proceedings. This hearing is public. The public and media may be present. Should you wish aspects of your evidence to be heard in private, you must make the request of the Committee now. I will introduce members of the Committee: we have Mr Di Falco; Mr Garland; Ms Rosol; Ms Finlay; Mr Jaensch; Mr Fairs online; and I'm Ms Brown.

Mr FAIRS - Hello.

Mr JULIAN HARRINGTON, CHIEF EXECUTIVE OFFICER, SEAFOOD INDUSTRY TASMANIA, WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED.

CHAIR - Thank you. Would you like to make a short opening statement?

Mr HARRINGTON - Thank you. Thank you to the Committee for the opportunity to appear before this inquiry today. For context, Seafood Industry Tasmania is the peak body representing Tasmania's commercial seafood industry, which includes the wild catch, marine farm, and seafood processing sectors. My comments today will have a focus on the commercial sector's experience and perspectives regarding the management of sand flathead stocks.

Historically, sand flathead has not been the key target for the commercial seafood sector. Mandatory catch reporting data shows the commercial sector accounted for less than 2 per cent of the total sand flathead harvest, with approximately 98 per cent taken by the recreational sector. While the commercial catch was relatively small, it supplied cafes, pubs, restaurants, and seafood retailers, particularly in regional communities, and provided access to local seafood for the majority of Tasmanians who do not recreationally fish, as well as the many tourists who visit our state. That's a very important aspect of our commercial sector.

The commercial sector was surprised when it was informed in late 2023 that it would be prohibited from taking sand flathead. There was no prior consultation and little explanation as to how removing less than 2 per cent of total catch would materially contribute to stock rebuilding. Similarly, concerns about potential sand flathead bycatch prevented a Danish seine operator from targeting sand whiting at certain times of the year, reducing the supply of further fresh Tasmanian seafood to local markets. Despite these concerns, the commercial sector ultimately accepted closure as part of a broader package of management measures that aimed at rebuilding flathead stocks. It was no surprise to many commercial fishers that removing 2 per cent of commercial catch did not result in rapid recovery. The subsequent recreational closures in the south-east reinforced what the science was indicating: that stock recovery would require broader management action.

This brings me to what I consider should be one of the most important issues before this inquiry, and that's the role of science in fisheries management. Seafood Industry Tasmania has full confidence in the quality, integrity, and independence of research undertaken by IMAS. While it is easy to focus on uncertainties, assumptions, and data gaps, particularly where research funding is limited, uncertainty should not be used to dismiss science. Every stock assessment represents the best available understanding of a stock at a point in time. If we want greater certainty, the answer is more investment in research, monitoring, and data collection, not less reliance on science. On that note, 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.

One thing is certain for the commercial sector, and I hope the recreational sector: long-term sustainability and recovery of sand flathead stocks is the most important outcome. Without a healthy stock there is no recreational fishery, no commercial opportunity, and no resource to pass on to future generations. The commercial sector may not have agreed with every aspect of the management response, particularly being closed before the sector responsible for 98 per cent of the catch. However, based on best available scientific advice, difficult decisions were required to rebuild stock status. History will show that when fish stocks are depleted too far, recovery can take many years, and early action is often difficult but provides the best opportunity for recovery. Looking forward, we believe management must remain genuinely evidence-based, balancing scientific understanding with social and economic considerations. You must take a co-management approach, where transparency and consultation are part of the decision-making process. With respect to sand flathead, as stocks recover and science demonstrates improvement, we expect that the same science-based approach would guide the return of a sustainable commercial fishery, capable of supplying Tasmanian consumers, cafes and restaurants with locally caught sand flathead. Thank you.

CHAIR - Thank you. We will open it up to questions.

Ms FINLAY - Thank you. You raised a couple of things then: you talked about limited funding and your ongoing concerns with the indexation around the SMRCA. We heard this morning some reference to - 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. So, I think there's - 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? Also, a reflection on whether it's had an impact in the commercial sector as well, where great advice - and I don't think anyone at all in any of the submissions is reflecting on IMAS - but great advice, when provided, is watered down and that has an impact in terms of stock and fisheries.

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.

Ms FINLAY - Do you have - I'm interested in that comment because just the person immediately prior talked about the need to have harvest strategies, and that's been a real downfall in terms of a no-surprises approach to fisheries management. 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.

Ms FINLAY - Have you seen other examples in your sector, for instance?

Mr HARRINGTON - Of the watering down of science advice?

Ms FINLAY - Where the management actions - yes.

Mr HARRINGTON - I can't say I have, Janie, but that's probably in the context of I'm not necessarily privy to what initial advice might be.

Ms FINLAY - The advice that actually happens to start with: yes, fair enough. Thank you.

Mr JAENSCH - Thank you very much for your evidence today and your interest in the topic. Could you comment on the need for strong action to ensure that the sand flathead fishery can recover? We've seen reports that without a fairly drastic intervention, the fishery may be in a position of not being able to recover at all. We've heard various views on what's enough intervention to ensure it, but in your experience of this fishery and of what the science has been saying is the action proposed now, or underway now, warranted and important?

Mr HARRINGTON - Noting my role here today is representing the commercial sector.

Mr JAENSCH - I understand that.

Mr HARRINGTON - We have not had access since 1 November 2023. So my knowledge from a commercial point of view of current stock status is limited to that point in time. I would note, though, on that, that stocks outside of the south-east are, especially up the north-east and across to the north-west, are still not ideal, but they're substantially better. Some in the commercial fishery were surprised by the announcement of commercial restrictions or prohibition of commercial fishing back in November 2023, given their understanding of stocks, but they are commercial fishers. If they don't know where the fish are, you'd be worried.

Ms FINLAY - One of the things that's been regularly commented on throughout all of the submissions is consultation, and a concern of lack of consultation and things happening by surprise. Previously, the FACs were involved in that process. I'm wondering if you can give the Committee any commentary around your current understanding of and feeling towards consultation frameworks now versus the previous FACs?

Mr HARRINGTON - Yeah, look, we've raised concerns around the removal of the FACs, the removal of a defined statutory process, defined number of meetings a year and the requirement to hold meetings into the new consultative committee or the consultative group process. We're not overly happy with the current process. We would like to not bring back the FACs necessarily, but have a discussion around how we move more back towards a co-management, joint management, approach to providing recommendations up into the Minister or the delegated decision-maker.

Ms ROSOL - Just a question following up on that consultation. At the moment TARFish and SIT are the two groups that the government consults with. Can you comment on how representative that is of the fishing community more broadly, and if consultation with SIT and with TARFish is sufficient or where you think that could be improved if it needs to be?

Mr HARRINGTON - So with respect to the scalefish fishery, there is an association, it's not a recognised fishing body under the act, but there is an association. I deal closely with the president of that association on most or all things scalefish. We'll always ask that organisation's perspective of things and incorporate that within our responses. In the context, though, that there is a very large diversity of views within the scalefish fishery and we offer opportunity for other members of the scalefish community who might not be members of that association to contribute their voices through SIT and through their submissions as well. Some decisions are fairly straightforward, others are complex; say, calamari management is

something I don't want to get talking about today, but it's very complex. There's a huge diversity of views and it's very difficult to represent such a diversity of views into government processes.

Ms ROSOL - So some views would be incorporated in SIT and your work and your consultation, but there would be people missed by that. So potentially the government's not hearing from people they need to?

Mr HARRINGTON - We try as hard as we can, when there's big public consultations or draft documents for management, to offer all our members the opportunity to feed their input through us. A lot take that up; a lot don't. As long as there are reasonable, rational positions being put forward, we will capture all those in our submissions. We will always try and put the diversity of views through in our submissions.

Ms ROSOL - Where do you think the current gaps are in consultation? Like thinking more broadly than just commercial fishers but across the fishing fraternity as a whole?

Mr HARRINGTON - I think the old FAC process offered a very important opportunity for individual fishers with an interest in the management of our industry to partake in the management process, I think, more broadly, and we're seeing this across all sectors. So, if you broaden that question out, we have a very close working relationship with all the other sector-specific associations. We're in a consultation process right now for rock lobster. We'll put a joint submission in as the sector association for rock lobster and sit together into that process. That's how we're trying to do things now. They're trying to reflect their members' views; we're trying to reflect their views and some of the member views of ours that don't fall in those organisations. We are in a world where there's such a diversity of views. Each business model in the fishing industry have their own needs for survival, their own needs for their business model, and they do conflict and it is a challenge. It's a real challenge to represent such a diversity of views.

Mr GARLAND - A lot of people don't realise, but 75 to 80 per cent of our community don't have access to our seafood other than through us commercial guys, so we play an important role. If you look at how we're being treated in the past, it's been abysmal. We've put forward recommendations, we've asked, I've sat on advisory councils only to be not listened to and not attended to.

I'm wondering how many commercial fishers catch sand flathead, have a history in sand flathead? Because denying that small number, even though they only catch 2 per cent, is denying a lot of people out in the community access to that stock.

Mr HARRINGTON - I'd have to take that question on notice. I would put the caveat around that I'm not sure whether I'd be able to find that information. It would have to come from catch records within NRE.

Mr GARLAND - I just thought you might have been approached.

Mr HARRINGTON - When the initial discussions came in late October 2023, I had probably 20 to 25 fishers from the north-west across to the north-east, in particular, contact me saying that although the total catch might be small at certain times of the year, in particular, it was quite an important revenue stream for them because other species were not necessarily available. As you mentioned, it's something where one in four Tasmanians recreationally fish, three in four don't. Of that one in four that do, a vast proportion of those only fish a handful of

times a year. The vast majority of Tasmanians, if they want to eat Tasmanian seafood, do rely on the commercial sector, and if we're not there and/or we lose access to catching sand flathead forever, then the broader public will never be able to eat sand flathead again.

Mr GARLAND - No, that's right. Also, we have low biomasses; we have what they call boutique fisheries, low volumes of high-value fish, which is highly accessible in this state to the greater population. If you don't attend to things, things slide pretty quickly and become more complex like the calamari, where if they dealt with it at the first instance when there were eight fishermen - and now I don't know how many there are, and it's more complex to get to a decision that is going to be suitable for everyone and you can't.

Mr HARRINGTON - Yep.

Mr GARLAND - It's a bit like the sand flathead. It's been death by a thousand cuts in action and here we are.

My Marine Environment Act, which I'm trying to get up, which would ideally have everyone at the table to have this discussion as a body, I believe would short-circuit a lot of the problems we're facing now and also get some quicker management, make it easier for the Minister concerned to move.

Mr HARRINGTON - There wasn't really a question in that, but I will address that by saying yes. I suppose the old saying: 'an ounce of prevention is worth a pound of cure'. The complexity comes as you're fully aware, when you're trying to balance the scientific advice with the social and economic impacts on some of these smaller-scale individual fishers, in the scalefish fishery in particular. Your comment applies equally to this continual erosion of daily limits, trip limits of different species and it's just this gradual erosion of their financial capacity to survive and earn a livelihood.

Mr GARLAND - We have to have the ability to move between a number of species; otherwise we're not viable.

Mr JAENSCH - Julian, you've spoken about the science and management and the watering-down risk, and also about the need for engagement and consultation.

I appreciate that's always a delicate balance between the three. If you've got management and you've got science with evidence of a need to work, is there a case to delay action in order to engage, or is the imperative for management to respond to evidence when it's presented? A hard one to answer.

Mr HARRINGTON - That's the difficult scenario in a decision-making process -

Mr JAENSCH - It is.

Mr HARRINGTON - and if I use a statement Mr Garland just made, you know, sometimes decisions are hard to make and they maybe do get delayed or watered down, and from what I saw in my discussions with IMAS around the sand flathead's latest assessment, it hit a point where there were genuine and real concerns around the future recovery of sand flathead stocks. I suppose I'm not saying it was the right or wrong decision. I'm not here to make that call today, but I do believe that, yes, at times there are probably scenarios where very urgent decisions need to be made outside of normal consultation processes. Whether the

commercial sand flathead was one of those for 2 per cent, I would probably question that. I would probably question there was time up our sleeves to have a discussion around what 2 per cent catch meant for stocks and stock sustainability. The decision was made, we put a case forward and then, I suppose, in amongst a whole range of other priorities and other fisheries, we, I suppose, accepted to an extent that we had to have that as a contribution to the future and rebuilding of sand flathead stocks.

Mr JAENSCH - We've had other witnesses who have questioned the reliability of the current stock assessment regime; you've expressed some confidence in IMAS as a source of that advice. Where do you stand on the methodologies that are being used at the moment?

Mr HARRINGTON - I'm not going to - I can't comment explicitly. I may have been working in the science field 25 years ago. I haven't acted in that space for a long time. I keep my eye on that space. I would probably answer that by coming back to: if we want greater confidence in stock assessments, then we need more data to feed into the stock assessments, so we need more investment into the marine science.

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 - I suppose in a tangent way, sort of answering that, I mean 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.

CHAIR - Does anyone have any further questions? Do you have any questions online, Rob?

Mr FAIRS - No, Chair, that's all good. Thank you.

CHAIR - Well, with that, I will thank you for making an appearance before the committee. What you've said to us today is protected by parliamentary privilege. Once you leave the table, you'll need to be aware that that privilege is not attached to those comments. So comments that you further make to anyone, including the media, even if it's just repeating what you've said here today will not be protected by parliamentary privilege. Do you understand that?

Mr HARRINGTON - I do.

CHAIR - Excellent.

The witness withdrew.

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The Committee suspended from 11.55 a.m. to 1.30 p.m.

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Tasmanian Association for Recreational Fishing - TARFish

CHAIR - Thank you and welcome to today's hearing of the sand flathead inquiry and thank you for your submission. If you could please state your name and the capacity of which you're joining us today.

Ms GALLICHAN - I'm Jane Gallichan and I'm the CEO of TARFish, which is the Tasmanian Association for Recreational Fishing.

CHAIR - Great. Could you please introduce those on your side of the table?

Ms GALLICHAN - To my right is Bob Gordon, the independent chairman of the Tasmanian Association for Recreational Fishing. We also have my deputy chair, John Edwards.

CHAIR - Excellent. Can you please confirm that you have received and read the guide sent to you by the Committee Secretary?

Ms GALLICHAN - Yes.

CHAIR - Thank you. This hearing is covered by parliamentary privilege, allowing individuals to speak with freedom without fear of being sued or questioned in any court or place out of parliament. This protection is not accorded to you if statements that may be defamatory are repeated or referred to by you outside of parliamentary proceedings. This hearing is public and the public and media may be present. Should you wish aspects of your evidence to be heard in private, you must request this of the Committee at the time. I will introduce members at the table: we have Mr Di Falco; Mr Garland; Ms Rosol; Ms Finlay; Mr Jaensch; Mr Fairs; and I'm Ms Brown.

Mr FAIRS - Howdy.

CHAIR - Could each of you, one at a time, please make the statutory declaration?

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.

CHAIR - Thank you very much. Would you like to make a short opening statement?

Ms GALLICHAN - Firstly, thank you so much for the opportunity to be here today and for actually hosting this committee. I'm very grateful for it. There are over 130,000 recreational fishers in Tassie and we are their peak body. It's a big responsibility and our organisation takes it really seriously, just as 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.

It is important to place on the record, as Professor Caleb Gardner did so well for you yesterday, that the sand flathead fishery is depleted but not unsustainable. If the fishery is sustainable then the question becomes: what are the aspirations for this fishery? There are

essentially two options: we can close the fishery and have a faster recovery, or we can have a slower recovery that allows ongoing access. The choice is about community values, and that is what has been absent from the decision by the Minister to close the fishery.

I think it's important for me to address the suggestion by both the Minister and the secretary of NRE that there is a politicisation of this decision. They're right and wrong. They're right in the sense that we lobbied hard for this inquiry to investigate the decision, because we were not getting answers and we need to shine a light on decision-making in the absence of policy, in the absence of a harvest strategy, an absence of genuine consultation, and a failure to deliver on their election commitment to recreational fishers to review the management settings this year.

Transparency, consistency, and predictability lead to understanding and, often, compliance. I thank the Committee for getting more out of the Minister, the Department, and the police in this regard than I've been able to achieve in years. Both the Minister and NRE have said that the compliance issue has been weighted heavily in the decision to close the fishery. To that point, 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. NRE may have done this work in a limited way, but their focus has been on largely sustainability and stewardship: mixed-bag fishing and better handling, for example. The focus should have been predominantly on compliance. They are the managers and they come up with and enforce the rules.

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. The government's Recreational Sea Fishing Strategy includes an action to report on fisher compliance with the rules and the effectiveness of current education and enforcement activities. It is outcome 2, action 10. We are in year six of a 10-year strategy and it is time that this action is delivered.

To refer to one-liners in a ministerial media release and a foreword in the recreational fishing guide is not communicating the issue and the potential outcome to 130,000 recreational fishers. If compliance was the big issue that has led to a fishery closure, how is the government failed to undertake clear and sustained communication with recreational fishers for more than two years on this issue. Had the government focused on the compliance issues and the likely outcome, had the government provided any information that we as the peak body could use to have this conversation with recreational fishers in a serious way, had the government delivered on its own action plan, maybe we wouldn't be here, but we'll never know.

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. Compliance may not be where it should be. We accept that, but that is because the three requirements to ensure high levels of compliance are not being met. That said, regardless of the alleged deficiencies with compliance to date, it doesn't mean it can't be fixed or the fishery reopened.

Landing heads and frames or whole fish fixes the problem. We've heard the government say stock assessment is not showing signs of recovery, but as we heard from Jeremy Lyle and

Caleb Gardner yesterday, that's because the method being used to measure recovery - length frequency - does not measure changes quickly. We know that the stock assessment is uncertain because of the absence of the single biggest input, recreational fishing effort. Every year, IMAS undertakes a survey of recreational rock lobster and abalone fishing effort; it is a key input into their harvest strategies and TAC setting and, therefore, management controls.

We do not have that for sand flathead, the biggest, the most important recreational fishery - that is easily solved. An annual measurement of recreational fishing effort for sand flathead fixes the problem. Mandatory reporting is not needed -

Thank you, Janie, for putting that on the table. Don't do it again please.

and citizen science is important and welcome, but it is unlikely to fill the specific need of monitoring the recovery trajectory of the fishery. Investment is needed in measuring recreational fishing effort. This should be a priority for IMAS and the government via the SMRCA.

We're here today for no other reason than an absence of policy. There are few substantive fisheries policies written down, consulted with the community, and published. The Minister referred to his policy yesterday. The policy was - I intend to close the fishery, and we will mandate the landing of sand flathead whole or with heads and frames. That is not a policy. There wasn't even a statement of reasons. The Minister and the Department framed this as an emergency, invoking the emergency provisions of the act, sections 49 and 50.

This is unusual in the extreme and requires scrutiny. 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.

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.

We have heard from Professor Caleb Gardner yesterday that the objectives of the LMRMA are the weakest in the nation. How can that be when we have one of the highest recreational fishing participation rates in the nation and some of the most profitable fisheries? With weak legislation we get weak decision-making and it's a problem readily solved. Improve the objectives of the legislation in consultation with the community so it reflects our values for our living marine resources. Developing and consulting a harvest strategy that clearly sets out objectives, targets and triggers fixes the problem. It should prevent ministers and delegates

from using emergency provisions and fishery closures for business-as-usual fisheries management. What the absence of quality legislation, clear, articulated policy and the tools to give them effect, like harvest strategies and compliance data does, is erode trust in fisheries management, and that's already low. If we are to build compliance and rebuild trust, we need to be involved in policy-setting and in decision-making. We need harvest strategies that reflect community values, and we need information that is provided publicly to help us know what's going on; that will fix the problem.

It was TARFish that pushed for restocking to be part of the recovery of sand flathead, and we are grateful to the government for investing in it. We hope it will be successful, but as with all novel research, its benefits right now are uncertain. The government has suggested that the closure of the south-east is to support restocking; a simple glance at a map will show that the closure of the entire south-east to support restocking in a discrete area is nonsense and unnecessary. Closing the restocking area, yes, we understand that, and that fixes the problem.

I'm glad that Mr Jaensch has asked a number of witnesses yesterday what the downside of closing the fishery and getting there faster is, and that was actually really useful, and the benefit of having the scientists appear before me means I can again paraphrase one of their responses because it sums it up perfectly: 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.

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 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. Thank you.

CHAIR - I'm going to ask the first question if I can. In your opening statement you said that you made an offer to TasPol to assist with compliance. Can you advise how that offer was

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made, whether it be written, email, letter, and when and when you received a reply, and what the reply said?

Ms GALLICHAN - So I did write to Minister Felix Ellis about compliance and never received a response to the letter -

CHAIR - You never received?

Ms GALLICHAN - No. I also - so the police used to attend RecFAC meetings and would occasionally attend - right at the beginning, when the Flathead for the Future group was first established, they attended a couple of those meetings. The reason that I'm quite committed to compliance is because I live down at Southport and I've witnessed poaching of abalone and all sorts of things. I'm very keen to support high levels of compliance across all fisheries, so the conversations that I've had with TasPol haven't been limited to just sand flathead. It has been more broad, but I think specifically in relation to sand flathead, I spoke with the sergeant, whose name escapes me right now, in November, I was actually in Adelaide at the time, and said I would be happy to stand up and do a video talking about compliance and why it's important, and what the police were up to, and also some of the prosecutions that they've made - to make it a really tangible thing for recreational fishers to understand that there are consequences of not obeying the rules.

Ms ROSOL - Thank you, Chair. I'm a new person in this space and 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 - Thank you. 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 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.

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.

Ms FINLAY - Before I do ask a question, I think if you look at all of the peak bodies in Tasmania that cover a whole lot of areas, Tasmanian Farmers for instance, the amount of farmers that they have as a member, but they are the peak body for farmers. I think the question is interesting.

My comment is around consultation. 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?

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.

Ms ROSOL - Thank you. 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.

Mr JAENSCH - Thank you very much for your presentation and the work that you do. Thank you all for being here. Just a technical matter in relation to what you've just said, 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.

Mr JAENSCH - So, in terms of the statutory requirements and the other things you've just referred to, I think they're not in play in this case. There was a different mechanism used which has been used more often in fisheries management. I want to try and just understand, given your representative organisation role, do you believe that the majority of recreational fishers don't support the temporary closure of the fishery to get recovery faster?

Ms GALLICHAN - I think there's always a range of views within the recreational fishing community -

Mr JAENSCH - Which makes your job difficult: I understand. We share - with everything else.

Ms GALLICHAN - I will say that it actually makes the TARFish board's job more difficult, because it's actually the TARFish board that determines the positions of the organisation. It was discussed at length by the TARFish board. We were aware that there were a range of views within the fishing community. We also have Jeremy Lyle, who actually sits on the TARFish board -

Mr JAENSCH - Yes. He mentioned that.

Ms GALLICHAN - and he provided advice to us at that time that he didn't feel that it was a necessary step to go further to close the fishery, and he was deeply concerned about the potential to lose recreational fishers and having kids have the opportunity to experience their first fishing. That's why the board was very supportive of using the scientific expertise of Jeremy to reach the position that some access was better than no access.

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. They're 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 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.

Mr JAENSCH - Not even dressed as a rig with a whiting sort of rig, or some other focus?

Ms GALLICHAN - I wouldn't be able to speak in more detail. Sorry, Roger, I'd be guessing.

Mr JAENSCH - No, fair enough. Thank you.

Mr GARLAND - Yes. I asked Jeremy Lyle yesterday how often in his time has the precautionary principle been applied: this is the first time. What we've seen with all of our fisheries is death by a thousand cuts over a long period and non-attendance. What we're looking at with the sand flathead, they're below the 20 per cent limit reference point. It's in a high-risk state. The recruitment is there, but it's uncertain as to the effectiveness of it, and it's a low biomass. Now, as a fisherman, I'm sick to death of death by a thousand cuts, so the scientists suggesting, with two - hasn't been given long enough to be proved if it's going to be viable or effective. To me, this is a very sensible decision, given the nature of that fishery and how important it is to the community. It seems like whenever there's talk about getting to a sustainability target, everyone agrees that it's a good thing to do, provided they don't have to take any impact or any cut. I just think, as a fisherman, that it gave me a lot of comfort that the precautionary principle was applied, for the first time in my knowledge, with our fisheries.

I understand TARFish's position, but I would rather take a hit and get to the place a bit quicker, and I understand what you're saying about the economics, but we've got a whole range of different species out there now which people can target: The kingfish, the snapper, the King George whiting - the King George whiting, by the way, are coming down the east coast, they're catching them in Boomer Bay - so wouldn't it be more sensible to take that hit, even though it's going to give a little bit of - it's going to be hard for people, but we have low volumes of high-value fish, and we're an island state. So the idea is to spread the effort amongst a range of species with small limits. This would provide an opportunity: you can't catch sand flathead, but an education program, how to catch whiting, snapper, and everything else, to put the focus elsewhere, and then when the fishery does open, it won't get flogged to death.

Ms GALLICHAN - Can I just respond to that? So we're not designing the fishery for you, Craig, I apologise, and personally, I no longer fish for sand flathead either, because I don't have to -

Mr GARLAND - No, I don't either, but the recreational fishermen -

Ms GALLICHAN - If you could let me finish: so it is important to understand why we are advocating for retaining low levels of access, and it is not for you and me; it is to allow children to undertake the activity of fishing in Tasmania.

Mr GARLAND - Children fish off the piers and wharfs, they don't rely on - like in my area, there's more fishermen fishing in the rivers and the piers and what-have-you than there are going out in boats targeting flathead. So, to say that you're taking away their aspirations and everything else is a bit like the argument with the stadium.

Ms GALLICHAN - I'm not sure that's accurate, and in regard to your earlier comment around sustainability, what we heard from Caleb Gardner is that absolutely this fishery is depleted, but it is sustainable and is not recruitment overfished. So there is potential for it to retain some access, and that's why we are advocating some access for the reasons that I've previously explained.

Mr Di FALCO - You've stated a common theme on the report: common theme was that the fisher was unaware of the new 35-centimetre limit, or the 40-centimetre oversized limit, you know, that's delineated in the fishing guide; you know, surely if someone is going to go on the water they're going to determine first off what they're permitted to take.

Ms GALLICHAN - Sand flathead hasn't had a huge number of management changes over a really extended period of time. There have been some since 2023, absolutely, and slightly before that when we had the emergency provisions drop it from 20 to 10 in terms of the bag limit and then down further to two and five in the south-east, and also the size limit changes, but they're relatively infrequent. There are a lot of fishers that go out and they're not actually picking up the guide every year and checking and that's just an artefact, I think, of there having been fewer changes. That's rapidly changing now in fisheries management, and we actually support that because, yes, we want to recover the fisheries, absolutely, but also, we want to retain access. So, if we need to have regional settings, if we need to have multiple settings for fish to respond to their biology, we support that rather than having overly simplistic settings that reduces our overall access.

Mr Di FALCO - Would that be a failure of communication then?

Ms GALLICHAN - I wouldn't like to characterise it as a hard-nut failure. What I think is that it could be improved. You know, if there was a TV campaign that went out to announce the closure, but there wasn't a TV campaign that I'm aware of, or there may have been, that actually talked about: 'These are the rules'. Also, to recreational fishers - 'If you do not comply with the rules, we will close your fishery.' And, 'We are going to invest in marine police and fisheries officers to check that you are obeying the rules'. That's what we would have liked to have seen as a focus.

Ms ROSOL - Thank you, Chair. I wanted to come back to consultation because in my previous question I asked what do you think would be satisfactory consultation and you talked about what had happened and it not being satisfactory. What consultation are you looking for? If the government provided that level of consultation, does that mean you would agree with the decisions that they made because you were consulted with more?

Ms GALLICHAN - I'll start by giving you an example, thank you for the question, when Minister Palmer made the decision to reduce the sand flathead bag limit from 20 to 10 and use the emergency provisions, I stood beside her at the press conference because we supported it, because we are concerned about the fishery. When Minister Abetz made the decision to reduce the bag limits further and introduce the slot limit, we supported those decisions as well.

What I will say about this, and that's because we have consultation and engagement through that process. We didn't in this instance. There are also other processes that can be used. Craig, I heard you refer to the FACs previously and now that they no longer exist; that is one of the options that would normally be used to have this information taken through.

The second part is: there was a "future of flathead" group that was established and on that was IMAS, TARFish, Tasmania Police and the Department. That group didn't meet for basically 12 months prior to the announcement. That is another group that could have been used to actually consider management options in light of the stock assessment, and that didn't happen either. Using the established processes would have been useful. But also, too, at no time - I mean Sean Tracey talked about the numerous conversations he had with the Department from the time of the stock assessment to the announcement of the closure and that they were discussing a range of options. There was nothing that prevented NRE from including us in that conversation for allowing us to provide a considered response through that process, and that didn't happen. Statutory consultation, or you've got seven days to respond to a decision that's already effectively been taken, we don't consider to be consultation.

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 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. 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.

Ms FINLAY - I'm interested in the conversations that occurred yesterday and you've raised it again today about understanding recreational effort. You've described that there is effort measured in other fisheries. Can you outline for the benefit of the Committee how that happens in the other fisheries and how you would like to see that happen - like the specifics of it, describe it?

Ms GALLICHAN - Unfortunately, I'm not a scientist, so I'll do it in my most lay-terms because I don't have the scientific ones. Basically, for the recreational fishing - so the rock lobster and abalone survey, it's usually a phone survey: they ring a bunch of fishers and say 'have you been fishing for these fish?' Some of them keep diaries - that's usually what happens with the rock lobster as well - and they provide that information to further inform it.

The question that I have is: this is our most important fishery; we absolutely, in my view, must have that effort data. The question becomes cost. We already know that SMRCA is fully subscribed, but we also know that there is a huge amount of money being spent on sand flathead at the moment and surely it warrants, for at least the next five years, to have an effort survey undertaken more frequently than it's currently undertaken, which is once every five years.

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 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.

Ms FINLAY - You mentioned previously that you had reached out and wanted to be involved with Tasmania Police and have an understanding of compliance issues. Does that

remain an active desire, that if there was an opportunity for you to engage more regularly in a structured way with Tasmania Police? Is that something that TARFish?

Ms GALLICHAN - Absolutely. So there used to be a committee that was actually called the compliance committee many, many years ago, and thank you, John, for reminding me of that. And it had NRE, Tasmania Police and TARFish on it and compliance issues were regularly discussed. It was a meeting that occurred, I think it was quarterly -

Mr EDWARDS - Commercial sector was represented as well.

Ms GALLICHAN - And commercial sector as well.

Ms FINLAY - So how long ago did that come to an end?

Mr EDWARDS - I was speaking to previous chair about it only a few weeks ago, Mr Brett Cleary, he represented TARFish on that committee, and I don't think that it has met for greater than five years.

Ms GALLICHAN - I've been at TARFish for six and it hasn't met.

Mr EDWARDS - Well, I think it's maybe greater than seven years even.

Ms FINLAY - Given that compliance has been so important and spoken about so deeply, it would seem that that's an oversight not to have met.

Mr JAENSCH - Thank you. I note your concerns about kids getting their start in fishing and flathead being the sort of bread-and-butter species. I was one of those kids, too, and I think probably there's a lot of us who grew up catching lots of fish, sometimes cricket-score sort of bags sometimes; that's sort of the old days. And we don't necessarily want to go back to those because they're sort of the days that got us where we are and we've got some catching up about how we regulate and educate the fishing public.

I note that the closure is not forever and it's not for everywhere; it's for an area, for a time, based on certain indicators which we can talk about more. There are opportunities for our kids to fish in those waters in that time and to catch flathead, but not to keep them. Can that be part of the education and introduction to fishing now, as opposed to the fishing that we had when we were kids, when it was just buckets of them? Whereas now, if they grow up learning that if you catch a flatty here, at the moment, you let him go and why, but if your rig is set up as well that you pick up the trevally or the whiting or whatever, that's part of a mixed bag. We can make good out of this, can't we, and educate?

Ms GALLICHAN - Absolutely. We certainly think that promoting mixed-bag fishing is absolutely one of the things that we need to do in the immediate term, absolutely, and encouraging people to rig up and understand what gear and how to catch different types of fish. We would like to do more around that. We've certainly talked a lot about, for example, snapper. In our social media, encouraging people, like, 'This is how you would catch one of those, how you do burley,' and all of this sort of stuff. Have we nailed that yet? No, I don't think so.

I think one of the other considerations that we need to be mindful of: sand flathead is one of the most consumptive species that we have, bar none. So, we don't just catch them, we eat

them. The other species that we eat are calamari, also depleted in the south-east, and striped trumpeter, also depleted. That's the top three. So, part of the education is also about once you get it, how do you process it? Because sand flathead is really easy to process. And then how do you cook alternative species to make them palatable and easy because we don't traditionally eat kelpies and gurnard.

Mr JAENSCH - Leatherjacket's very good, though. I've eaten a lot of leatherjacket in my time.

Mr EDWARDS - Can I just make a comment on Mr Jaensch's - the Tasmanian Game Fishing Association is member of the GFAA. The GFAA have a declared flathead -

Ms FINLAY - Can you tell what the GFAA -

Mr EDWARDS - GFAA - Game Fishing Association of Australia - has declared flathead as a bread-and-butter species, and that's primarily to encourage, what we call, small-fry anglers - very young - to get into fishing. So, it's a measure-and-release species only. A number of competitions around the state have been run, including one in the Derwent, which had between 25 and 50 teams, somewhere between 125 and 200-and-something-or-other anglers - predominantly children fishing. That competition is now null and void, would be illegal to run because they would be - if you could be proved to be targeting, catching sand flathead, it is illegal and a breach of regulations. So, this is an opportunity for measure-and-release of fish to be able to contribute to citizen science but is currently illegal.

There was also some questioning about, are all our members in agreeance? I think it's correct - I'm pretty safe in saying that all our members and all the people that I speak to, do not agree with the amount of area which has been closed - from Tasman Island to Whale Head. They see areas within that as being absolutely ridiculous to close them. Yes, there's some areas, as Mr Garland rightly points out, that are in critical depletion, but there are areas inside that zone that are not. That's the frustration that occurs. I have friends that say that I can't take my child fishing for flathead anymore, in a place where I used to be returning the fish to the water anyway because were greater than the slot size.

Ms ROSOL - Just a philosophical question: would TARFish support any management action that resulted in lack of access to a fishery - not being able -

Ms GALLICHAN - A closure?

Ms ROSOL - Yes.

Ms GALLICHAN - Potentially, yes.

Mr EDWARDS - I can give you an example: the rock lobster on the east coast. TARFish suggested a total closure and I can tell you the reaction from the Department - they were white with fright because they knew that it would be - the economic implications to the Department because it's a licenced fishery, so that was one of the things against it, and the consideration in this particular case is the economic considerations to the east coast on tourism and visitation, et cetera.

Ms ROSOL - Thank you. A question around compliance and education around compliance because you've talked about the role of the government and things that you saw, campaigns you saw the government doing. What role do you see TARFish as having in education around compliance and what have you been doing in that space?

Ms GALLICHAN - I suppose it's understanding whose role is what on a lot of occasions. What we've seen from research, and a lot of the research has actually been done by Sean Tracey, is that recreational fishing organisations and recreational fishers are best placed to undertake stewardship activities. So this is the mixed-bag fishing. This is 'one for me, one for the sea' types of messages, improving handling. The responsibility to communicate the rules absolutely rests with the rule-maker, and we would like to see a real focus by the Department on communicating the rules because they are increasing complexity.

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. We also need things like harvest strategies so that we know what the impact of non-compliance is on the sustainability of the fishery and also what action is taken. That's why we have advocated really strongly for increases in funding for marine police and to increase compliance checks.

Ms FINLAY - I'm interested in what you just said. We talked about the compliance committee earlier. Would it be a recommendation of TARFish that the compliance committee, it might not be called a committee, but that compliance group actively recommence?

Ms GALLICHAN - Yes.

Ms FINLAY - Thank you. You then talked about - it's been your position to actively advocate for increased funding, whether that be through the SMRCA, whether it be for authorised officers, the various things that you have been advocating for, the lack of a harvest strategy is something that's come up repeatedly and there's a lot of fisheries that need a harvest strategy.

Have you put your mind to, or in any of your advocacy, about how much would be required to complete a harvest strategy? Have you put active amounts out there in terms of recommendations for funding for a harvest strategy for this fishery?

Ms GALLICHAN - No. Through my experience of the development of the abalone harvest strategy, there was a specific person that was employed to do the development work. There is, say, an abalone fisheries manager that exists within the Department and in addition to that they had someone who was specifically working on a harvest strategy. I think at a minimum you will probably be looking at the physical resource to prepare that.

I suppose one of the things that we are interested in and we're trying to learn is how best to harness AI. There has been a lot of research and a lot of work done around harvest strategies and I think there is an opportunity to use that as a cost-effective method to start getting drafts in place. I suppose the main thing that does cost as well is the need to consult. It really does

have to go out into the community to understand community value so they can be brought back in. Sometimes we do our absolute best; when drafts and stuff come through, we send everything out, we try and have fisher hubs and talk to people and get as much information as we can, but that's all resource-intensive as well.

I don't think it is necessarily a cheap investment. The other thing I will say: there has been millions and millions of dollars invested into this fishery and I think looking at fisher effort and having a harvest strategy are fundamental.

Ms FINLAY - Yes, thank you. 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 wouldn't deny that. I think there needs to be an understanding that there are consequences. It's like wearing a seat belt. How many people use their phones now because of all the cameras that are around? You can get booked without even realising, and I think that's stopping a lot of people from doing it. In the same way, there has to actually be sufficient compliance activity to have meaningful recreational fishers.

Mr GARLAND - We often have the discussion, what's the most important thing, the stock or the fishermen? We have a range of depleted species. We're struggling for money. I see the recreational community as being extremely important and involved in the collection of data which this fishery is lacking. I just think that you're putting the wellbeing of the fishing community first in this instance and not the stock. If we're going to address the range of depleted species we've got, I think it's really important that we set a standard or a course of action that brings people in and not excludes them. I will admit that management of our wild fisheries has been sadly lacking in my lifetime, and I'm going back 40 years.

What I would like to see is a recognition that we have a depleted species and to bring the recreational community in and have a day where you're going to get a lot more data with 150-200 recreationals on the water given an area to go to, and told what to look for and what to do. The most important thing is it's a generational thing, we include the kids in this because the science can be explained very well to kids. It's not complex if you sit down with the

scientists and explain it to them. I think that's very important if we're going to rebuild our fish stocks.

CHAIR - Do you have a question, Mr Garland?

Mr GARLAND - Yes. My question is - yes, it's more of a statement.

Ms GALLICHAN - Can I just respond to that: I absolutely disagree with the premise that you started with, around the depleted fishing. It is a depleted fishery, but it is still sustainable. You asked whether the priority was the fishers or the fish; the fish are safe, they are not in imminent danger of collapse or anything like that.

Mr GARLAND - There's a level of uncertainty, though. That's not what the scientists -

CHAIR - If you let Ms Gallichan finish.

Ms GALLICHAN - In that regard, I think you're presenting an alternative that doesn't need to exist. The thing that I would say is we can have support for fishers and support for fishing. I would also like to say that there is a number of depleted species in the south-east. In fact, most of them: scallops haven't been opened, calamari are depleted as well. What we are also not considering through this process is what is the offsetting of displaced fishing effort? Whilst mixed-bag fishing is great, it has to be done onto sustainable fish. We know that one of the other easy fish to catch is calamari, and we know that a lot of people do it from jetties and wharves and tinnies. From a style perspective, I know a lot of people that I'm friends with that are now catching calamari instead of sand flathead. We also have to be mindful of the knock-on impacts of saying, 'Oh, let's just shut it and let people go for something else.'

CHAIR - Thank you. We're in our final few minutes. Could we do our last one questions.

Ms ROSOL - In 2023, when the government changed the rules, at the time they were also considering closure then. Did TARFish recommend against the closure at that time?

Ms GALLICHAN - I would have to check exactly what we recommended. My view is that we supported a bag limit of two in the D'Entrecasteaux, the Huon, Frederick Henry and Norfolk Bay, but that we supported a bag limit of five in Storm Bay. That's my recollection.

Ms FINLAY - When you talked about objectives being the weakest in the country, you talked about targets and triggers also being important. I hear that the recommendation of TARFish is for a reopening. However, if that doesn't happen, what triggers do you think are necessary to see for the reopening? That seems to be an unanswered question at the moment, about what the government is doing to prepare themselves to understand how they're going to reopen it.

Ms GALLICHAN - We don't have any insight into what the government is thinking in that regard at the moment. What we would like to see is the recovery of the fishery. I don't think it has to be recovered to 40 per cent in order to reopen it, nothing like that. In fact, I don't think it even needs to be at 20 per cent. As long as we have enough understanding of fishing effort, that we don't right now, we can assure, we know what the trajectory is likely to be. So, without that, it's going to be very, very difficult to understand what slope on the gradient of

recovery we want to achieve, and how do we know when we get there; because right now we don't.

Mr JAENSCH - I've just got some advice in relation to a matter that John - that you raised earlier on. So yes, it confirms people are allowed to fish, and that taking a flathead and letting it go is not a problem. You're right that they shouldn't be deliberately targeting or setting out exclusively to take the flathead, but around the issue that you raised with your competition with the little kids: the Department has the capacity to issue permits and exemptions for competitions and events, and that avenue is open. I would expect - I'd be happy to put you in touch with relevant people.

Mr EDWARDS - Thank you, that's good news, because that particular competition is run in the Derwent, yes, and you probably wouldn't want to be eating the fish out of the Derwent anyway, so that's why it's a measure-and-release competition.

Mr JAENSCH - Fair enough: but I think that that might be something that doesn't need to stop if we can get a permit.

Mr Di FALCO - Since non-compliance is, you know, probably the main issue anyway, what steps can you put in place to try to break that culture of non-compliance?

Ms GALLICHAN - Well, one of the excellent ways to do it is for fishers to believe that there is a problem, that they are contributing to the problem and how they can fix it; and without that, I don't think we're going to change. So we need to debunk the myth that it's actually the commercial sector: it isn't. We need to encourage recreational fishers to understand what's happening with the stock. This is the small - lots of small fish, but not lots of big fish, and also peer sanctioning is one of the greatest ways to encourage compliance, and it's really difficult for us to step into that. It's something that we're interested in, hence why we want to see a restart of the committee and the like, but we need the information to talk to fishers about it. We can't do it on anecdotes and you know, the vibe of the thing. We have to have the information to have the conversation.

CHAIR - Thank you, and with that I will thank you very much for your appearance before the Committee today. What you've said here today is protected by parliamentary privilege. Once you leave the table, you need to be aware that the privilege is not attached to the comments that you may make to anyone, including the media, even if you're just repeating what you've said at the table today. Do you understand that?

Ms GALLICHAN - Understood.

CHAIR - Thank you so much.

The witness withdrew.

The Committee suspended from 2.32 p.m. to 2.33 p.m.

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Tasmanian Scalefish Fisherman's Association

CHAIR - Welcome to today's hearing into the sand flathead inquiry and thank you for your submission. Could you please state your name and the capacity of which you join us today?

Mr BEVIS - My name's Shane Bevis. I represent the Tasmanian Scalefish Fisherman's Association.

CHAIR - Can you please confirm that you have received and received and read the guide sent to you by the Committee Secretary?

Mr BEVIS - I have, yes.

CHAIR - Thank you. This hearing is covered by parliamentary privilege, allowing individuals to speak with freedom, without fear of being sued or questioned in any court or place outside of parliament. This protection is not accorded to you if statements that may be defamatory are repeated or referred to by you outside of parliamentary proceedings. This is a public hearing and the public and media may be present. Should you wish aspects of your evidence to be heard in private, you must make this request to the Committee at the time. I will introduce members of the Committee: we have Mr Di Falco; Mr Garland; Ms Rosol; Ms Janie Finlay; Mr Jaensch; and Rob Fairs online, and I'm Ms Brown. Would you like to make a short opening statement?

Mr BEVIS - I've been involved in fisheries management in Tasmania since 1983. The state shark, all the scalefish rules, implementation of the banded morwong, and lots of other fisheries rules in the state. I've worked with the Department a fair bit. I've been a professional fisherman since 1980, and have actively moved through different fisheries in the state promoting commercial fishing in and around Australia.

CHAIR - Thank you, and I'll just get you to make the statutory declaration that's just in front of you there.

Mr **SHANE BEVIS**, PRESIDENT, TASMANIAN SCALEFISH FISHERMEN'S ASSOCIATION (TASFA), WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED.

Ms FINLAY - Thank you for the submission you made and thank you for being before us here today. I read it with interest and understood what you had presented at the time in 2023 when that decision was made to stop the commercial fishery of sand flathead. I misspoke yesterday and said tiger flathead. I'm interested in the comments that you've made here around access for the Tasmanians that can't or don't go fishing, and also access for people that might be visiting Tasmania like tourists, and wondering in the decision that's been made now whether you've had any direct conversation with the Department about what might be possible for reopening the small amount of access to commercial fishers for that purpose?

Mr BEVIS - As a professional fisherman, when I go fishing I consider that I have a few responsibilities. One, fish sustainably for my children to come through. Two, is keep all the sizes and everything. But also, I want to provide a service to the four out of five Tasmanians that can't access flathead or any sort of wild fishery. Not everyone wants to eat industrial fish,

so we have a job to do as wild fishermen. Part of when I go fishing is to look after those four people that can't access the fishery. No, we haven't talked to the Department about having future access. That was just so disappointing to be struck off. We pay a lot of fees. We don't now get access to the fisheries after we've done all the hard yards to try and look after the propagation of the stocks in the areas.

Ms FINLAY - There's been a lot of conversation around this decision about the lack of consultation. At the time in 2023 when the decision was taken to stop the commercial fishery for sand flathead, how would you describe the consultation that happened at that time?

Mr BEVIS - We didn't get any.

Ms FINLAY - Oh yeah, right?

Mr BEVIS - Yeah. Our representative group SIT, they got some, and we had a little bit with them, but from the Department we didn't really get any. We were talking about reducing the numbers and increasing the sizes from the research done by Sean, but really -

Ms FINLAY - So it came as a surprise?

Mr BEVIS - We didn't have any idea that we were going to be struck off the list and all our fees go to nothing.

Ms FINLAY - How would you characterise consultation now?

Mr BEVIS - Unless you drive consultation with the Department there isn't any. We've gone through so many managers there in the last three years, it's hard to work out what's going on.

Ms FINLAY - The previous FAC, and then what they have as their sort of consultation framework now, how do they compare?

Mr BEVIS - Well we had to beg to get on to this one, and the industry FACs were working really well because you could drive issues that the commercial fishery wanted to help protect stocks, to make the stock sustainable, so we could drive issues with the Department and we were working together to make sustainable stock. The best example would be the banded morwong and all the other stocks that we look after as industry. First, the easiest way to catch them is when they're spawning. We put in spawning closures so you can't catch them when they're spawning. We put size controls in so you can only take a certain size - you only take mortality out of their lifetime. We brought the morwong fishery back from depleted to sustainable in seven years because industry drove these issues. Now, we don't have any sort of consultation or the Department listening to what industry think.

Ms FINLAY - My only other question before I pass on to someone else: there has been a lot conversation over the last couple of days about harvest strategies and the lack of them and the need for them. Do you have anything you'd like to share with the Committee around harvest strategies?

Mr BEVIS - Yes, probably the commercial fishery look after when I say 'look after', we catch most quantities of wrasse, morwong and calamari. If you're trying to do harvest strategies

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on shared fisheries where there's only probably 50 of us commercial fishers fishing and 100,000 recreational fishers, that can get a little bit overwhelming and we don't get much of a say in it, which is probably what's happening now.

Mr GARLAND - You've heard what the scientists said about the sand flathead stock and the closure. You've just heard what TARFish had to say. What's your personal opinion on what they've done? Given your history in fishing, you've been on the water since 1980. You've seen a lot of changes and we've seen fish stocks go down and up.

Mr BEVIS - Where I hang around is Mercury Passage and up the east coast, Great Oyster Bay, which is a shark nursery which we close to netting within 200 metres of the shore. All the middle parts of all those shark nursery areas are 'no net' areas, so there's no effective netting. There is a lot of hook fishing going on, but we always sort of thought hook fishing wasn't that bad. But then, if you put your mind to it and 40 boats go out and catch their bag limit, that's 200 flathead, but to get those 200 flathead, they're turning over 40 fish for each one flathead. They're turning over a lot of fish and they're probably post-harvest release flicking them off the hooks and they're breaking their jaws and they're doing a lot of damage to put them back in the water. That's practice but there's got to be something going on with the fishery since I've been looking at it.

We can still go out and catch the fish we want to go and catch because we just go around and harvest it like a paddock. But the radios and all the phone communications and the technology that recreational fishery have got these days is as good as we could ever do and it's not the hard work out how to do it, really. Their access to the fish is huge. If they're taking 365 tonne of flathead a year, that's a lot of fish you got to turn over. The Commonwealth Trawl Fishery is only 300 tonne in the whole south-east fishery, which is New South Wales, Victoria and South Australia, and their fish are only 280 millimetres, not 350. There's something going on, there's some sort of pressure on this fishery that is done just by hooks, not by any other method.

Mr GARLAND - Would you agree with what they have done, closing the fishery instead of leaving –

Mr BEVIS - Not to us.

Ms FINLAY - And you're here as a commercial -

Mr BEVIS - We have a service we can provide to you know the tourists and the other 485s. In the south-east, the closure, you mean?

Mr GARLAND - Yes.

Mr BEVIS - It will be interesting to see if it does anything because we closed, commercial fishers got kicked out of the D'Entrecasteaux Channel, and there was restricted net use in Frederick Henry Bay, Norfolk Bay, and Great Oyster Bay, but that didn't bring back the fish stock. We took a kick out of those areas so that we could make the propagation areas for the fish to recover in all sorts of ways, all sorts of fish, flounder and flathead, but that just hasn't happened. So, what that pressure is, I'm not sure, I really am not, Craig.

Mr Di FALCO - You said that you've managed the banded morwong back to sustainable.

Mr BEVIS - Yep.

Mr Di FALCO - Was that voluntary?

Mr BEVIS - Yeah, there were a lot of yards went into that one. There were open-access gill nets we shut down to the numbers of fishers, reduced the gear in the water, protected the stock first, absolutely. We had to follow that, so the stock went first and then the fishermen followed. It's the only way we found out how to do stuff the right way.

Mr Di FALCO - You didn't get any recognition for it at all?

Mr BEVIS - I don't know. It was hard yards by the fishers, which is what we've tried to do here with the flathead. We put the proposal up to ban broad trawling in state waters in 1998. That's a long time ago, that's 29 years or whatever. There were only two Danish seiners, which are only 10 per cent efficient when they fish. We weren't having the impacts on those fish, those flathead stocks, that we thought have now come to fruition. With respect to Jane, she said it's not the commercial fisherman's fault. Well, we've done a lot of things and made the examples, hopefully for the recs to have a look at to say, 'We are doing this and we are getting results', but we're not a volume, we're only probably 50 or 61 fishers, and there are only 30 A-class net fishers working in the state, which is - 11 are small-mesh netters and the other balance are morwong fishers. There are 18 on rock lobster boats, which can't be used, and 11 on southern shark fishing vessels that can't be used. There are 164 B-class licences, which are basically all on rock lobster boats, and they can't be used either, so there is not very much commercial fishing effort out there.

Mr JAENSCH - Thank you, Shane. Thank you for your submission and for coming to talk to us today.

Mr BEVIS - Thank you for letting me do it.

Mr JAENSCH - This is your parliament, mate, you need to be able to be heard here. You've made reference for all fishers to use barbless hooks; are you thinking this for recreational fishers in the area where the fishery is closed for a period? I'm assuming this is to allow better release of the critters without breaking their mouths and everything.

Mr BEVIS - Yes.

Mr JAENSCH - Is that something you think should be in place just in the closed area for the period of the closure and for all species, or more generally? I hadn't heard anybody else recommend this before, except for Steve Starling. Tell us about it.

Mr BEVIS - That's actually from going to football games and talking to all the recreational fishers; I know that's what they reckon. In the Northern Territory, that's what they do a lot of: barbless hooks. They've brought stock back by not breaking their jaws - the fish. It's a hard one to assess but it's an issue. If you're turning over that many fish to catch and then you're not doing the post-release thing properly, then that might be an indicator there's something going on with that fishery, because we fish around the pens up there at Okehampton, and there are plenty of small fish but there are no big fish anywhere. What's happening to those guys? I don't know.

Mr JAENSCH - Okay. You would have heard part of that last conversation we had about catch-and-release fishing and teaching kids in particular about being selective and why; barbless hooks could be part of that education, and because it requires a little bit more skill, as well, to keep the fish connected -

Mr BEVIS - The kids teach their parents.

Mr JAENSCH - Yes, thank you.

Ms FINLAY - You talked about effort, and, well, we don't know, the Committee are interested in the various management options that might have been considered at the time to close this fishery now in the south-east, but the reduction of effort has been something that has been talked about, and in 2023 for the rec fishers in this area, it went from 20 to two. I can remember at the time that was sort of being characterised as a practical closure, you know, because it's such a small number, and there's been various conversations from different witnesses about whether the bag limit staying at two or one versus a closure, that is, the difference between a recovery or a faster recovery, as opposed to it going backwards. It was just how it goes forwards at different speeds. I acknowledge that you're here as the Scalefish Association, so from a commercial perspective, but do you have any comments to make around the reference to a small bag limit at two or one is similar to a practical closure in terms of effort - the reduction of effort from 20 to two is significant?

Mr BEVIS - We can still go out and catch, you know, probably what we want to catch during the day because we're probably on the water maybe, I think commercial fisher, it's worked out at 110 days a year. So you know you can - you hunt the fish more, think more about the fish and you can go and work out where they are, what depth they're in, and recreationalists use communications on the phone and whatever else, so they volume fish. We're not volume fishers. Everything we volume fished, we've not fished down, but we've seen reductions and gone to the Department and said, 'Look, there's a problem here, we're doing too much fishing, because there's too much effort'. I think the rec fisheries are realising that now, that they are not - they're fully involved in the stock more than we are, that their effort creates more depletion than we do. Whether you can bring that fish, whether you can bring that back by only doing two fish, or 10 fish, that's really up to the stock and the feed, and -

Ms FINLAY - That's been one of the other interesting things that's been offered to us as a Committee over the last couple of days, that measuring effort in the recreational. So the suggestion just earlier was doing that effort survey, like happens in rock lobster or abalone, doing that in sand flathead, that would seem like a task that is highly manageable by the Department to be able to do that annual effort survey -

Mr BEVIS - Yes.

Ms FINLAY - and not very costly, either, compared to the costs of having to bring in new fish or, you know, do those sorts of things. It would make sense that an annual effort survey would be something implemented.

Mr BEVIS - Absolutely. I sit on the RAGs with Jane and all the rest of them, and the one thing we need to know is how much effort is there -

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Ms FINLAY - I love acronyms, and I'm sad that I asked about the game fishing association because I know what that was; what are RAGs?

Mr BEVIS - Sorry, RAGs: Research and Development Group, or something or other.

Ms FINLAY - I've never heard of the RAGs.

Mr BEVIS - It's the TAFI one, they do that, research and advisory group.

Mr JAENSCH - TAFI RAGS, you know?

Ms FINLAY - Yes. Okay, but that annual survey of recreational effort, in the same way they do it for the rock lobster and abalone, would make sense as a recommendation?

Mr BEVIS - Absolutely. So, as commercial fishers, as we do real-time log books, 48 hours or get a smack on the wrist and get a fine, so we're putting what we catch into the Department straight away.

Ms FINLAY - While you're here, and beneficial to get it on the record, SIT highlighted the fact that it's still not digitised. Do you want to put anything on the record about that? For the record, head down, lots of slides.

Mr BEVIS - Wow. I think my take on this one was, and I think I was on all the FACs, and even on SIT then, was we'd given, or advised to give the Department \$5.5 million to go digital and asked them and tried to help them out - we could do the digital bit, but it made it easier for them, I think that was seven years ago.

Ms FINLAY - Yes. Wild, isn't it?

Mr BEVIS - It's just absolutely ridiculous. Why we get fined for doing paperwork stuff because we don't get it right; it can be digital and everything can be up to speed.

Ms FINLAY - Yes, great. Thank you.

Mr BEVIS - Please do it.

Ms FINLAY - Yes.

CHAIR - Any further questions?

Mr BEVIS - Go on Craig, you can't help yourself.

Mr GARLAND - You're looking at me? I've run out, mate, I'll ring you later.

Ms FINLAY - It's been great having your voice in this conversation.

Mr BEVIS - Look, I really appreciate you letting me come along and have a say because we don't get much say, I don't think. But we do contribute a lot to the coastal communities, and we contribute a lot to the tourism industry, and I don't want to see my pub selling bronze

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whalers from China and imported flathead from Argentina. I want to be able to do it, we can do it; that's what tourists come here for.

Ms FINLAY - That's a lovely way to finish.

CHAIR - With that, I'm going to thank you for making an appearance to the Committee today. What you have said here today is protected by parliamentary privilege. Once you leave the table, you need to be aware that that privilege is not attached to comments that you make to anyone, including the media, even if you're just repeating what you've said at the table today. Do you understand that?

Mr BEVIS - I do. Thank you.

CHAIR - Excellent. Thank you so much for your time and please stop the broadcast.

The witness withdrew.

The Committee adjourned at 2.56 p.m.