

Developmental Fisheries Management

Application assessment pro forma:- preliminary assessment

Policy summary

The Tasmanian Government supports providing opportunities for the development of long term environmentally sustainable, commercially profitable and socially acceptable fisheries to deliver economic growth for the State.

Developmental fishery opportunities will be supported only where it can be satisfactorily demonstrated by a proponent that a long term, commercially profitable, environmentally sustainable and socially acceptable fishery can be developed.

Applicants are required to provide adequate information to enable an assessment within the above policy statement to be satisfactorily completed. The onus is on the applicant to provide the relevant required information. The more significant the issues raised by the application, the greater the corresponding level of information required.

Application

Applicant	Summary
App No. 2015_4	Subject Octopus on east coast with unbaited pots
Name Ian Fitch	
Address	

Proposal Summary

Taking pale octopus (*Octopus pallidus*) in areas outside the current pot fishery in a similar manner.

Seeks access to the east coast south of Eddystone down to around 22 nautical miles south of South West Cape. Fish out to a depth of around 600 metres, these waters fall within State jurisdiction under OCS for octopus.

Very little other information provided.

Biological Information

None given

Fishery interactions and cross jurisdiction

Existing fishery has access into Bass Strait only.

Marketing

No information

Personnel and experience

Little information provided.

Mr Fitch holds no commercial licences or a vessel.

No information provided on how the operation is proposed to work, no information on costs of pots for example or vessel.

Research and investment

Little information provided.



Attachment 5

From: Mark Nikolai [<mailto:mark.nikolai@tarfish.org>]
Sent: Wednesday, 8 April 2015 6:14 PM
To: Gott, Robert (DPIPWE)
Subject: Developmental Fishing Permit 201504

Robert

I refer to your letter dated 18th March 2015 in relation to the above matter.

The TARFish Committee has considered the application and provide the following comments.

The application appears to be poorly completed with a distinct lack of accurate detail to assess the feasibility of the proposed activity. The application does not note any relevant fishing licence details nor any relevant past commercial fishing knowledge or experience in the Octopus fishery, or any other fishery for that matter.

We do not believe the applicant has satisfactorily demonstrated that his proposed activity, which he does not clarify in any detail, meets the policy criteria of long term, commercially profitable, environmentally sustainable and socially acceptable activity that value adds to low value species.

TARFish notes the applicant has previously submitted Developmental Fishing Permit Application 201501 with very similar concerns raised and believe there is an opportunity, as part of the Developmental Fishing Policy, to consider setting up a Permit Submission Review. This review would be undertaken at lodgement point and involve someone having a look over the application and letting the applicant know of any glaring anomalies and/or key material that appears to be missing. TARFish suggests this will assist to alleviate sub-standard permit applications being submitted and moving through the review process only to be rejected or returned because key material or information has not be provided by the applicant.

Thank you for the opportunity to provide feedback on this permit application and we hope the Minister finds our comments of value in his decision making.

Regards

Mark Nikolai

Chief Executive Officer

TARFish

Tasmanian Association for Recreational Fishing Inc

GPO Box 2198, Hobart 7001

Office 1300 665 225, Mobile 0403 868 004

Web: www.tarfish.org

RTI-DL-RELEASE-DPIPWE

Department of Primary Industries, Parks, Water & Environment
WATER AND MARINE RESOURCES DIVISION

Hobart GPO Box 44, Hobart, Tasmania, 7001
Launceston PO Box 46, Kings Meadows, Tasmania, 7249
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18 March 2015

Dr Caleb Gardner
Associate Professor
IMAS
Private Bag 49
HOBART TAS 7001

Dear Dr Gardner

DEVELOPMENTAL FISHING PERMIT APPLICATION

Please find attached details of a permit application received following the release by the Minister for Primary Industries and Water, Jeremy Rockliff MHA, of a policy for supporting developmental fishing activities in Tasmania, encouraging the progression of developmental fisheries to allow a broader range of options for commercial fishers particularly in the area of value-adding to low-value species.

Developmental fishery opportunities will be supported only where it can be satisfactorily demonstrated by a proponent that a long term, commercially profitable, environmentally sustainable and socially acceptable fishery can be developed.

Applicants are required to provide adequate information to enable an assessment within the policy statement to be satisfactorily completed. The onus is on the applicant to provide the relevant required information. The more significant the issues raised by the application, the greater the corresponding level of information required.

A copy of the developmental fishing policy is attached together some additional instructions that were provided to guide and assist applicant to address the requirements of the new policy.

I write now to seek formal comments on this application from IMAS, particularly regarding any biological or stock issues that may be apparent and pertinent to the application.

This application has been received from Mr Ian Fitch to target octopus on the east coast, and is designated as application 2015_4.

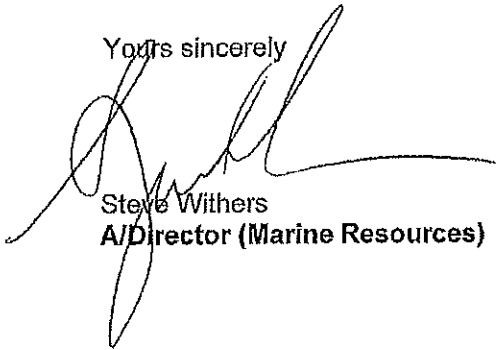
Attached is the application itself and a pro forma summary of the application that will be used for each application received. This pro forma summarises the application and makes some initial comments and observations regarding the application.

Your views and comments, together with any other information that might assist the Minister in considering this application would be appreciated by 3 weeks from the date of

this letter. Any comments in writing will be provided to the Minister verbatim when he comes to make a decision on the application.

Thank you for your assistance.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Steve Withers', written over the typed name and title.

Steve Withers
A/Director (Marine Resources)

RTI-DL-RELEASE-DPIPWE

Caleb Gardner
IMAS
Private Bag 49
Hobart, TAS 7001

30 March 2015

Rob Gott
DPIPWE
GPO Box 44
Hobart, TAS 7001

Dear Mr Gott,

RE: Developmental Fishing Permit Application

I write in response to your letter dated 18 March 2015 requesting advice on a developing fishery proposal received from Mr Ian Fitch to catch *Octopus pallidus* off the east coast of Tasmania. He has reviewed the existing assessment of the fishery and correctly notes that fishing is not currently allowed along the east coast but that this region has *Octopus pallidus* stocks.

Comments here repeat those provided for another application for the same resource. The receipt of two applications for the same resource highlights the importance of the issues addressed in the final paragraph here. This is a small but not unknown resource with well-established methods and markets. Any access to this fishery should involve consideration of not only biological issues but also ensure that future resource rents are not lost from the jurisdiction, as has occurred with so many Australian fisheries.

Octopus pallidus is a complicated species to manage due to its biology. It has an average life expectancy of 12 – 18 months and a semelparous life history strategy, meaning it dies shortly after reproducing. It is therefore likely that generations are non-overlapping, which reduces the stock's resilience to recruitment failure. *Octopus pallidus* is also holobenthic, which means it has benthic hatchlings that adopt an adult lifestyle after hatching, with no planktonic larval phase as is common with marine animals. This means they have very limited dispersal capability and depleted areas don't recover from juveniles produced elsewhere. Genetic studies¹ have identified that the Tasmanian *Octopus pallidus* stock is highly structured, with discrete subpopulations (< 100 km apart) in Bass Strait, increasing the potential for localised depletion.

Management of *Octopus pallidus* is also complicated by a general lack of knowledge on the state of the stock(s). Currently, the stock(s) are assessed on fishery-wide catch rates using

¹ See, e.g. Higgins et al., (2013) and Doubleday et al., (2008).

both logbook data and a 50-pot random sample (commenced in November 2004). These catch rates however, may not be representative of the state of the stock(s), as they don't account for the presence of discrete sub-populations, changes in the efficiency of the fleet or environmental factors, impacting catchability. Studies on holobenthic octopus have previously highlighted that catch rates are an unreliable predictor for stock status as the composition and recruitment potential can be impacted by fishing before catch rates are affected.²

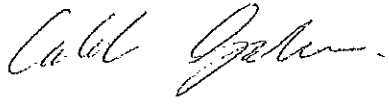
The current stock assessment for the fishery (2013/14) classified *Octopus pallidus* as "transitional depleting". This means that fishing pressure is too high and the stock is heading toward recruitment overfished. This decision was made on the basis of logbook and 50-pot sample catch rates declining over the last three fishing seasons to an average 60% of the reference year (2004/05) and fishing effort (i.e. number of potlifts) increasing by 33% during 2012/13 and 2013/14. Conversely, catch rates in the current season (2014/15) to date, seem to have increased, with a decline in fishing effort evident. It is important to note however, that these increased catch rates remain localised, highlighting the spatial heterogeneity in productivity of the stock and the need for careful management.

Given the inherent biological complexities and uncertainties in the *Octopus pallidus* stock(s), any expansion of the fishery through developmental permit or otherwise should proceed with caution. If a developmental fishing permit is issued then fishing effort should be carefully managed to ensure that all unbaited pots are not set within the same area, increasing the potential for localised depletion. It would be advantageous to make the 50-pot sampling program a condition of the permit and consideration given to fishers recording not just the number of male and female octopus in each sampled pot but their total weight, to assess the extent of size-selective fishing through time.

The *Octopus pallidus* fishery in Tasmania is fished with standard methods used elsewhere for octopus and *Octopus pallidus* is known to occur down the east coast of Tasmania. There are also established markets for both Australian and imported product. Development of this fishery is thus not a high-risk entrepreneurial exercise and it's suggested that consideration is given to obtaining community benefit from this fishery, should it proceed to development. Unfortunately, many Tasmanian fisheries have been allowed to develop with all resource rents flowing to a small number of private individuals who increasingly do not reside in Tasmania. This has been a substantial lost opportunity for economic development of Tasmania and could be avoided in this case by auctioning or tendering access over time periods of say 5 years. Revenue from this process should be contributed directly to treasury and not come at the expense of recovery of costs for management. This approach has been used successfully in other fisheries such as toothfish.

Yours sincerely

² See, e.g. Loporati et al., (2009)



A/Prof Caleb Gardner

RTI-DL-RELEASE-DPIPWE

Developmental Fisheries Management

Application outcomes and recommendations

Application

Applicant	Summary
App No. 2015_4	Subject Octopus on east coast with unbaited pots
Name Ian Fitch	
Address 30 Main Rd George Town 7253	

Proposal Summary

Taking pale octopus (*Octopus pallidus*) in areas outside the current pot fishery in a similar manner. Seeks access to the east coast south of Eddystone down to around 22 nautical miles south of South West Cape. Fish out to a depth of around 600 metres, these waters fall within State jurisdiction under OCS for octopus. Very little other information provided.

Attachments

Attached to this recommendation are the following documents:

1. Application received;
 2. Application assessment pro forma:- preliminary assessment;
 3. Comments received from the Tasmanian Seafood Industry Council (TSIC);
 4. Comments received from the Tasmanian Association for Recreational Fishing (TARFish);
 5. Comments received from IMAS;
 6. Draft letter to Mr Fitch for consideration.
-

Summary of comments received

[REDACTED]

[REDACTED]

[REDACTED] TARFish states that:

"The application appears to be poorly completed with a distinct lack of accurate detail to assess the feasibility of the proposed activity.

The application does not note any relevant fishing licence details nor any relevant past commercial fishing knowledge or experience in the Octopus fishery, or any other fishery for that matter".

[REDACTED]

Attachment 7



Mr Stump advises as follows:

"In respect to application 2015_4 submitted by Mr Ian Fitch I wish to advise that TSIC concurs with the Departments preliminary comments. The application provides very little detail in regards to how Mr. Fitch would actively conduct fishing operations. We note that Mr Fitch is not currently an active commercial fisher nor does he hold any commercial licences. We are of the view Mr Fitch's application does not meet the criteria specified in the Developmental Fisheries Management Policy – Advice for applicants and supporting documentation. Mr Fitch's application is not supported".



RTI-DL-RELEASE-DRAFT

Developmental Fisheries Management

Attachment 2

Application assessment pro forma:- preliminary assessment

Policy summary

The Tasmanian Government supports providing opportunities for the development of long-term environmentally sustainable, commercially profitable and socially acceptable fisheries to deliver economic growth for the State.

Developmental fishery opportunities will be supported only where it can be satisfactorily demonstrated by a proponent that a long-term, commercially profitable, environmentally sustainable and socially acceptable fishery can be developed.

Applicants are required to provide adequate information to enable an assessment within the above policy statement to be satisfactorily completed. The onus is on the applicant to provide the relevant required information. The more significant the issues raised by the application, the greater the corresponding level of information required.

Application

Applicant	Summary
App No. 2015_11	Subject: Take wrasse with fish traps outside 3 nm
Name Ian Fitch	50 tonnes
Address	120 fish traps

Proposal Summary

This is a different but similar application to a previous application from Mr Fitch regarding targeting of wrasse. The critical difference here is that the application relates only to activities outside three nautical miles.

Taking of purple and blue throat wrasse using 120 traps in depths from 5 to 160 metres over rocky reef.

Cites nil impact on the marine environment and attendance of gear, daylight fishing only to minimise potential interactions. Bycatch to be returned to depth by 'snatch release cauf'.

Fifty tonnes is sought with suggested value of \$2 million.

Suggests that there are no jurisdictional issues outside three nautical miles and that a permit could be issued for this area.

States that most of the information provided previously is also relevant to this application.



TASMANIAN SEAFOOD INDUSTRY COUNCIL ABN 61 009 555 604

21 May 2015

Mr Robert Gott
Director Marine Resources
DPIPWE
GPO Box 44
HOBART TAS 7001

Dear Mr Gott

**TSIC Comments: Application for Developmental Fishing Permit –
Developmental Fishery for Purple and Blue Throated Wrasse outside 3nm**

As requested please see below TSICs comments in respect to application number 2015_11 for a developmental fishing permit to target Purple and Blue Throated Wrasse outside 3nm.

Application No.	2015_11	Applicant	Mr Ian Fitch
Proposed Activity	Take wrasse with fish traps outside 3 nm.		

TSIC Comments:

The application from Mr Fitch to take Purple and Blue Throated Wrasse outside 3nm is completely lacking in substance. As with previous applications for a developmental fishing permit Mr Fitch cannot demonstrate that he has the capacity, knowledge or experience to undertake the proposed fishing operations himself. He is not currently the holder of a fishing licence personal, nor does he hold a Tasmanian Fishing Licence (Wrasse) or any other Tasmanian fishing licence. Mr Fitch has not demonstrated that he has access to a vessel and equipment to undertake fishing operations.

In his application Mr Fitch provides no evidence to support an allocation of 50 tonnes. His estimate of the available biomass is completely without foundation. As with previous applications this current application displays a lack of knowledge regarding the underlying principles of fisheries stock assessments and the stock assessment process.

The intent of the Developmental Fishing Policy is clearly not to encourage speculators who have no demonstrated involvement with Tasmania's wild capture fisheries to participate in developmental fishing activities.

Summary application 2015_12:

TSIC does not support Mr Fitch's application.

Yours sincerely,



Neil Stump
CHIEF EXECUTIVE

RTI-DL-RELEASE-DPIPWE

From: Mark Nikolai [<mailto:mark.nikolai@tarfish.org>]
Sent: Monday, 1 June 2015 11:57 AM
To: Gott, Robert (DPIPWE)
Subject: Developmental Fishing Permit Application 201511

Robert

I refer to the above application and provide the following comment for consideration.

As this application follows on from Developmental Fishing Permit Application 201501 we have considered our previous advice with this application.

There is no mention of Licence Details which we believe are mandatory details to be completed. The application appears to be poorly completed with a distinct lack of accurate detail to assess the feasibility of the proposed activity.

We believe the applicant has not adequately assessed interactions with others users and the marine environment other than at a cursory level. There are possible interactions and impacts that have not been mentioned that would be expected to occur under this type of gear and activity.

The applicant notes "To enhance this fishery and create an export product..." The Developmental Fishing Policy is not there to "enhance fishery's" it is there to innovatively "add value to low value species." It would appear the applicant has a focus that does not follow the intent of the policy making the application non-compliant with the policy requirements.

We question the applicants claim that the live export wrasse fishery is in its infancy as we are aware of at least one if not more operators who have been exporting live wrasse to Asian markets for over 20 years.

We do not believe the applicant has satisfactorily demonstrated that his proposed activity meets the policy criteria of long term, commercially profitable, environmentally sustainable and socially acceptable activity that value adds to low value species.

Thank you for the opportunity to provide feedback on this permit application and we hope the Minister finds our comments of value in his decision making.

Regards

Mark Nikolai

Chief Executive Officer

TARFish

Tasmanian Association for Recreational Fishing Inc

GPO Box 2198, Hobart 7001

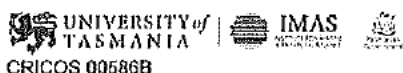
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RTI-DL-RELEASE-DPIPWWE

Associate Professor Caleb Gardner
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imas.utas.edu.au

IMAS in partnership with the Tasmanian State Government



From: Jeremy Lyle <Jeremy.Lyle@utas.edu.au>
Date: Wednesday, 27 May 2015 10:06 PM
To: Caleb Gardner <Caleb.Gardner@utas.edu.au>
Subject: Advice on the developmental fishing permit apps

Application 2015_11: Ian Fitch

The proponent is seeking a permit to utilise up to 120 fish traps (state fishers are restricted to two) in Commonwealth waters to target wrasse, mainly Bluethroat Wrasse. It is requested that he be allowed to take up to 50 tonnes which will be exported live.

We have a number of serious concerns with this application, they include:

- It is our understanding that even though Tasmania has an OCS for wrasse, only commonwealth endorsed or Tasmanian Rock Lobster licence holders are permitted to fish for species managed under this OCS in commonwealth waters. Wrasse are managed by Tasmania under the scalefish management plan rules. Presumably the proponent would need to hold a Rock Lobster licence to fish in commonwealth waters for wrasse under a Tasmanian permit. Regardless of the licensing issue, additional conditions would be necessary to ensure that fishing is restricted to Commonwealth waters, eg VMS.
- A major restriction in the live fish fishery is the depth of operations, wrasse taken from depths greater than about 15-20m tend to suffer severe barotrauma and survival is poor. This is especially of concern if the product were to be exported overseas, presumably stresses associated with transportation would be higher than normally experienced when selling to domestic markets.
- We are not aware of substantial areas of shallow reef outside of state waters (which we presume includes 3 nm outside of baselines), therefore fishing would occur mostly (exclusively?) in depths likely to exceed 40 m, where post capture survival due to the effects of barotrauma, is likely to be very low.
- Bluethroat wrasse do not tend to trap readily (cf purple wrasse), so catch rates of this species are likely to be much lower than projected. Furthermore, preferred habitat of the Bluethroat Wrasse is reefs, mainly less than 50 m, and while present in deeper water, abundances are

likely to be low, again suggesting that the viability of the operation would be very uncertain. Purple Wrasse tend to prefer shallower reef areas and are unlikely to be common in catches from depths greater than 40 m.

- Current production levels from state waters are in the order of 60 t p.a., it is difficult to see how a single operation in a sub-optimal and very challenging fishing environment will take equivalent quantities, even with a significantly higher than normal gear allocation.
- Bycatch is very likely to be an issue, with species such as Striped Trumpeter, Jackass Morwong and even Rock Lobster being taken. Consideration needs to be given to how this would be handled – would the fish be considered as byproduct or by catch – would this be a defacto means for the operator to target Striped Trumpeter. There is also likely to be some true bycatch, such species may also suffer barotrauma which could affect post release survival, even if returned to depth.
- Assuming that approval was granted, without EPBC assessment export would not be permitted. In practice product would have to be put on the domestic market in direct competition with existing fishers. By all accounts the domestic market is limited and the size of the live fishery is, to some extent, controlled by market demand.

Notwithstanding all of the above, it is difficult to see this as a truly developmental fishery, the proposal in many respects evolves around getting access to an established fishery. The applicant could already gain access to the wrasse fishery by purchasing an existing entitlement.

RTI-DL-RELEASED-DRAFT

Developmental Fisheries Management

Application outcomes and recommendations

Application

Applicant		Summary	
App No.	2015_11	Subject	Take wrasse outside 3 nm with fish traps
Name	Ian Fitch		Year 1 50 tonnes
Address	30 Main Rd George Town 7253		120 traps

Proposal Summary

This is a different but similar application to a previous application from Mr Fitch regarding targeting of wrasse. The critical difference here is that the application relates only to activities outside three nautical miles.

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Fifty tonnes is sought with suggested value of \$2 million.

Suggests that there are no jurisdictional issues outside three nautical miles and that a permit could be issued for this area.

States that most of the information provided previously is also relevant to this application.

Attachments

Attached to this recommendation are the following documents:

1. Application received and supporting information (Attachment 1);
 2. Application assessment pro forma:- preliminary assessment (Attachment 2);
 3. Comments received from the Tasmanian Seafood Industry Council (TSIC);
 4. Comments received from the Tasmanian Association for Recreational Fishing (TARFish);
 5. Comments revived from IMAS;
- 

TSIC closes as follows:

“The intent of the Developmental Fishing Policy is clearly not to encourage speculators who have no demonstrated involvement with Tasmania’s wild capture fisheries to participate in developmental fishing activities”.



In summary, TARFish states:

“We do not believe the applicant has satisfactorily demonstrated that his proposed activity meets the policy criteria of long term, commercially profitable, environmentally sustainable and socially acceptable activity that value adds to low value species”.



IMAS concludes:

“Notwithstanding all of the above, it is difficult to see this as a truly developmental fishery, the proposal in many respects evolves around getting access to an established fishery. The applicant could already gain access to the wrasse fishery by purchasing an existing entitlement”.