

April/May 2006

The deconstruction of the crab industry

In a late afternoon telephone call on Friday 28 April the Seafood Council was advised that the new Mud Crab Fishery Management Plan would be implemented on 1 May, a public holiday. However a copy of the Plan was not available to industry members to allow them time to understand what legislation they have to comply with in the Crab fishery.

Despite verbal and written representations by both the Crab Fishermen's Association and the Seafood Council that the participants in the Crab fishery had a right to know what they have to comply with before the legislation was introduced, that right was ignored. According to long-term participants in the Northern Territory seafood industry, there has never been an instance where such a situation has occurred in the past.

Both the Minister's office and Fisheries were advised by industry on several occasions prior to the decision that a number of provisions in the then draft Management Plan were in industry's view either legally incorrect or, in a practical sense, almost impossible to comply with. Crab Fishermen's Association representatives met with Fisheries on 9 March to discuss their concerns, but most of the points have not been dealt with in the new Plan.

The Fisheries Act specifically requires the Minister to report amendments that he may make following the public submission period, together with the reasons for them, to the Crab Fishery Management Advisory Committee. This was not complied with before the Plan was introduced and Association Chairman Doug Neville said that the crab industry is more bewildered than ever about why the Minister has made decisions in the full knowledge that the crab industry that depends on the crab fishery will be decimated.

Judging by comments received from a wide range of people in the Northern Territory, many Northern Territory citizens are wondering the same thing.

Newsletter of the Northern Territory Seafood Council

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Mr Neville expressed particular concern that while it was industry that first raised questions about some changes starting to appear in the crab fishery in 2003, it is now the industry itself that is being portrayed in a negative light by Government.

“There is now a widespread feeling within the crab industry that the Government is not only unconcerned about its growing reputation that it does not support business investment in the Northern Territory, but also that it’s unwilling to accept the consequences of its actions” Mr Neville said, citing several key points relating to the situation the crab industry is now in.

- Crab stocks in the Northern Territory are not and have never been in danger of collapse.
- Large seasonal variations in harvest can be expected from the fishery where the target species has a short lifespan and abundance relies on the level of new recruits annually.
- In November 2004 the Association formally requested the Minister to introduce a 5mm increase in minimum carapace width for both male and female crabs, across all sectors, from 1 January 2005. This would have increased the protection of berried females by 50%. It took the Government another 17 months to act.
- Industry was not made aware of the contents of the draft new Management Plan for the fishery until mid November 2005, when it was released for public comment, despite requesting information on a number of occasions over more than 12 months.
- Approximately \$20 million has been wiped off the investment in licences in the Northern Territory crab fishery since mid 2004, primarily as a result of a combination of Government inaction, inappropriate actions and statements and the ignoring of industry advice. A significant number of jobs have also been lost already and more are expected to follow.
- On average, crabs in the Gulf of Carpentaria are approximately 10mm smaller than elsewhere in the Northern Territory. From May to December each year the median size of female crabs in the Gulf is below the new minimum of 150mm, thus making commercial crabbing uneconomic in the highest producing area of the NT.
- Despite industry predictions, based on Fisheries data, that up to 30 crab licences would be displaced from the Gulf by raising the minimum carapace width of female crabs by 10mm, the Minister still decided to proceed with the larger increase.

- The Government has refused to buy back this displaced effort, despite its policy of doing so in the past in the barramundi fishery when a Government decision created displaced effort.
- Based on the commercial catch in 2004, the 10mm increase will lead to a drop in commercial catch of approximately 75%.

“The Crab Fishermen's Association believes that the Government now has to take a series of measures as a result of its decision” Mr Neville said. “These include the buyback or leasing of licences by the Government to remove the displaced effort from the fishery, funding of a full independent quantitative stock assessment within the next three months and ensuring that any management arrangements resulting from that assessment are applied to all sectors of the fishery”.

There is widespread agreement within the seafood industry generally that the Government's handling of the crab industry has been very poor and concern that this could happen to what was until relatively recently the most valuable wild catch fishery in the Northern Territory.

Bynoe Harbour Marine Park being developed

The Bynoe Harbour Marine Park Advisory Council is meeting approximately every six weeks at present as planning for the Park continues.



While the seaward boundary of the Park has already been established by the Government, the landward boundaries have yet to be defined, with part of the adjoining land subject to the Kenbi land claim. In announcing the development of the Park, the Government has stressed that it will be multi use, although the list of those uses and their areas have yet to be developed by the Advisory Committee for recommendation to the Minister.

AFANT is continuing its call for the exclusion of all commercial fishing in the Park and has made it clear that anything else will not be acceptable to it. This is not the view of several other members of the Committee. The Seafood Council is concerned that the process frameworks for developing appropriate zoning, monitoring, management and objective evaluations for the Park have yet to be worked out. At present the Government intends to do this at the same time as it is working out these processes for the Northern Territory Parks and Conservation Master Plan. The Council believes that the processes for the Master Plan should be worked out first and then applied to the Bynoe Harbour Marine Park and is making representations for this to occur.

Constitution approved

The Registrar of Associations has approved the new Seafood Council constitution which was adopted at the Council's AGM in 2005. A copy of the constitution containing the amendments made at the AGM will be posted to all Seafood Council members shortly. While it contains a number of provisions required under the Associations Act which were not spelt out in the Council's previous constitution, the most significant change is the provision for one vote for each licence held by a member. Previously a member received one vote only, no matter how many licences were held.

Review of Fisheries Act

The deadline for submissions to the review has been extended until 30 June. This extra four weeks is the result of a delay in the public meeting schedule throughout the Territory caused by the Katherine floods and Cyclone Monica.

Following feedback from members on issues involved in the review, the Seafood Council has commenced writing its submission on behalf of industry. If you wish to still make a comment on the contents of the submission, please contact the Seafood Council office. One matter that has arisen recently is the rewriting of the Fisheries Regulations. It is important that the Regulations pass through Parliament

at the same time as the new Act and the Council will be discussing this shortly with the Government.

Ornamental fish species and aquatic plants

2006 is rapidly shaping up as the “year of submissions” for the Seafood Council. During the past two months two submissions on the management of invasive species and processes for identifying potential threats of these species to the Northern Territory have been completed and lodged.

The first submission was on a discussion paper prepared by the national Ornamental Fish Working Group. While the Seafood Council supports a national approach to the management of ornamental fish species in Australia, it voiced concern at the highly regulated regime put forward in the discussion paper as being impractical and at odds with some of the outcomes a national management approach is trying to achieve.

The second submission was to the Northern Territory Legislative Assembly’s Sessional Committee on the Environment and Sustainable Development. Concern was expressed on behalf of Council members in the aquarium and aquaculture sectors about the lack of formal risk assessment processes in the Northern Territory for imported ornamental fish species and weeds. The Council recommended that the Northern Territory formally adopt the two national processes already available, making it clear that the present lack of formal systems is not in the best interests of either industry or the Northern Territory community.

Both submissions were developed in conjunction with the Australia New Guinea Fishes Association and the NT Branch of the Pet Industry Association of Australia. The PIAA estimates that 60% of the Australian population own pets and that 30% of those pets are ornamental fish species.

Environmental Management Systems completed

In what is believed to be a first for any Fisheries management jurisdiction in Australia, the Northern Territory Seafood Council has overseen the development of Environmental Management Systems for eight wild catch fisheries in the Northern Territory. The EMSs completed are for the Timor Reef, Demersal, Spanish Mackerel, Offshore Net and Line, Coastal Line and Barramundi fisheries. Those for the Aquarium, Trepang and Fin Fish Trawl fisheries are close to completion. Unfortunately, the indecision surrounding the Crab fishery over the past three years has meant a delay in the development of an EMS for it.

Project Officer Katherine Sarneckis is responsible for the successful development of these EMSs. This was done in close consultation with the relevant licensee groups and her position has been funded by money from Seafood Services Australia, the Fisheries Research and Development Corporation and the Northern Territory Government.

Printed copies of these EMSs will shortly be forwarded to all relevant licensees and temporary licence holders. The official public launch of them is planned to coincide with the Darwin Seafood Festival and a communication strategy for both industry and the public is planned over the following six to eight weeks.

The Environmental Management Systems are further proof of the sustainability of wild catch fisheries in the Northern Territory and industry's commitment to ensure that this continues.

Darwin Seafood Festival

The third Darwin Seafood Festival will be held on Sunday 18 June. This year the venue will be Fisherman's Wharf as Fort Hill Wharf, the site of the first two Festivals, is no longer available. Planning is well advanced for the Festival, which this year has Austar as a sponsor and it will be featured throughout Australia on cable television.

At the last two Festivals the most commonly asked question was “where can we buy Northern Territory seafood?” As a result the Seafood Council is producing a Guide to Purchasing Northern Territory Seafood. This initiative will be a first for the Northern Territory and will be launched at the Darwin Seafood Festival.

The Council has written to all registered trader processors, retailers and restaurants advising of the Guide and seeking specific information from them, including the range of NT species both wildcatch and aquaculture, they have available. Only those businesses that respond to the request will be featured in the guide.

Kakadu - problems resurface

There is provision in the present Kakadu Plan of Management for a permit system to allow commercial gear and catch to be transported through the Park. This is the result of a meeting in 1997, when then Seafood Council Chairman Nigel Scullion and CEO Iain Smith addressed the full Board of Kakadu National Park in response to a proposal at that time to ban all activity associated with commercial fishing.

Now a new draft Plan of Management has been released for public comment and in it the same proposal for a total ban on anything related to commercial fishing is again proposed. This was done by Parks Australia North, a division of the Commonwealth Department of the Environment and Heritage, without any consultation with the Seafood Council. Again the Council has formally protested in writing about the provision and again, several other key groups and individuals support the Council's stance.

As the Council has pointed out, the Arnhem Highway is the only all-weather terrestrial link to western Arnhem Land, which in turn contains key areas such as Maningrida, Oenpelli, Murganalla and Coburg Marine Park. As there is no terrestrial alternative to transporting commercial gear and product from these areas, the draft Plan discriminates against people who live and work in them.

The draft provision bans all activities associated with commercial fishing in the Park. The NT Fisheries Act contains the following definition of fishing;

“fishing” means the catching, taking, or harvesting of fish or aquatic life and includes any other activity which may reasonably be expected to result in the catching, taking, or harvesting of fish or aquatic life, and also includes any action taken in support of or in preparation for an activity specified in this definition.

Thus another consequence of the draft Plan provision is that it bars anyone living within the boundaries of Kakadu, including residents of Jabiru, from operating a commercial licence, even though the harvesting of product is conducted outside the Kakadu boundaries. The Seafood Council has taken a number of steps at both the political and bureaucratic levels to have a form of the present permit system retained in the new Plan of Management.

Illegal foreign fishing issue update

Over the next four years \$388.9 million has been earmarked for a package of measures associated with the apprehension, transportation, processing and accommodation of the several thousand extra foreign fishermen likely to be detained each year.

Announced as part of the Federal budget for 2006/07, this funding package contains some key initiatives, including;

- Responsibility for operational coordination and control for all enforcement responses to illegal foreign fishing to be handed to the Joint Offshore Protection Command.
- The establishment of a rapid long-range helicopter response capability costing \$24.9 million.
- \$65.9 million for the upgrading of the processing facility for foreign fishermen in Broome, the establishment of facilities in Gove, modifications to the facility in the Torres Strait and the construction and operation of new boat destruction facilities.
- \$9.6 million over four years for increased intelligence support for Australia's onshore surveillance and interdiction capabilities.
- \$14 million to fund the use of civilian charter vessels to tow apprehended illegal foreign fishing vessels to shore.
- \$6.9 for indigenous groups to help monitor the bio-security risks from illegal foreign fishing vessels, with a review of the program after twelve months.

With the \$167 million announced in last year's Federal budget, a total of more than \$500 million will be spent over the next four years.

Earlier this year the Seafood Council and the peak industry bodies in Western Australia and Queensland called for a meeting to discuss the illegal foreign fishing issue as industry had not been consulted about the strategies and aims of the Commonwealth Government. A meeting is now being planned for early June in Darwin between representatives of all the key Commonwealth departments involved and fisheries management agencies and representatives of industry in Western Australia, Queensland and the Northern Territory.

National refrigeration licensing laws

The deadline for applications for a twelve month Experienced Persons Licence under the new National refrigeration licensing laws is 30 June. The Department of the Environment and Heritage advises that after that date it will be illegal to handle refrigerant without a licence. This means anything to do with the refrigerant that carries the risk of its emission, including decanting, manufacturing, installing, commissioning, servicing or maintaining refrigeration and air-conditioning equipment.

More information on the new licensing and authorisation structure can be obtained from the Australian Refrigeration Council on 1300 884 483.

New Faces in Fisheries Management

Three new Aquatic Resource Managers have recently been appointed in Fisheries and Annette Souter has moved on to the role of Pearling Manager.



Don Elphick will be the new Mud Crab, Spanish Mackerel and Coastal Line fisheries manager. Don was recently employed with the Commonwealth Government's Supervising Scientist in Jabiru as Manager for the Scientific field station. Prior to that Don was employed as a Senior Ranger at Kakadu National Park and before coming to the Territory owned and operated a number of businesses in the construction sector. Don has a Marine Biology degree from James Cook University.



Patti Kuhl has been with fisheries for a short while now and was recently appointed as the Assistant Aquatic Resource Manager. She will be involved with a number of different tasks in addition to the management of the Coastal Net, Bait Net, and Development fisheries. Patti has an Environmental Biology degree and has worked previously in natural resource management as a Resource Assessment officer and an Ecologist.



Steven Matthews will be the new Barramundi, Trepang and Aquarium fishery manager. For the last six years Steven has been working in the commercial industry as Operations Manager with Marine Harvest on Bathurst Island. He has a Bachelor of Science and post graduate qualifications in Aquaculture. In addition to the Territory, Steven has over 15 years working in aquaculture in Queensland, New South Wales and Tasmania.

Country of Origin Labelling

The new Country of Origin labelling laws for unpackaged seafood come into force on 8 June. This means that product must be labelled with its country of origin, including Australian product. While the laws still don't apply to seafood sold in restaurants and through catering services, they are still an improvement that industry has fought for over a number of years.