

Proposed changes to the Queensland Stocked Impoundment Permit Scheme and other matters related to freshwater fishing

Decision Regulatory Impact Statement



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Summary

A review of legislative arrangements for managing freshwater fisheries resources in Queensland (under the *Fisheries Act 1994* and the *Fisheries Regulation 2008*) is being undertaken by the Department of Agriculture and Fisheries (DAF). A stakeholder-based working group established in 2011 identified a range of issues relating to Queensland's freshwater fisheries resources, some of which have already been addressed through legislative amendments. However, other issues related to a user pays system for freshwater fish stocking and commercial harvest of freshwater fish in Queensland were more complex and significant. The Government advised that these issues required public consultation via a Consultation Regulatory Impact Statement (RIS).

The Stocked Impoundment Permit (SIP) scheme is a user-pays system for recreational anglers wishing to fish in 32 designated stocked dams within Queensland. Key issues presented in the Consultation RIS related to changing management arrangements for the SIP scheme along with its potential expansion to include additional waterways. The Consultation RIS presented two key problems:

1. recreational fishing opportunities in some waterways outside the SIP Scheme dams would be improved by inclusion in the Scheme
2. the current permit arrangements are difficult to enforce and result in inequitable and inadequate funding of the SIP Scheme

An impact assessment in the Consultation RIS identified preferred options to address these issues:

1. expand the SIP Scheme to include additional specific weirs and impoundments
2. require that all adults over 18 years hold their own permit.

The public's view of these options, and their rationale, was sought to inform the consideration of the options prior to a final decision being made by Government. Public comment was also requested on issues related to the price of SIP Permits, disbursement of funds from the SIP Scheme and potential for expansion of commercial fishing for freshwater species in Queensland.

There were 294 submissions to the Consultation RIS. An analysis of these submissions was undertaken to identify key issues and determine preferred regulatory options. More than 85% of respondents identified themselves as individual recreational anglers. Nineteen submissions were provided on behalf of volunteer fish stocking associations. Respondents favoured expansion eligibility for the SIP scheme and a requirement for all adults over 18 years to hold their own permit. There was strong opposition to expansion of commercial fishing for freshwater fish in Queensland.

Recommendations

The Decision RIS recommends that the preferred options of the Consultation RIS are to;

1. Expand the eligibility criteria for Stocked Impoundment Permit scheme to include all impoundments, including weirs in Queensland.
2. Increase SIP fees every five years by the cumulative consumer price indexation rounded up to the nearest dollar

Other recommendations are as follows;

1. Require that all adults of 18 years purchase and hold their own permit.
2. Prevent commercial fishing in freshwater
3. Allow the use of SIP funds to enhance freshwater recreational fishing opportunities, other than purchase of fingerlings for stocking
4. Direct a proportion of SIP permit fees to support the activities of a peak representative group for fish stocking



1. Purpose of the Decision RIS

The Decision Regulatory Impact Statement (RIS) has been prepared in accordance with Regulatory Impact Statement System Guidelines (RIS Guidelines) (effective 18 July 2013) to present the review of freshwater fisheries regulations, which has been undertaken by the Department of Agriculture and Fisheries (DAF).

The Decision RIS follows the public consultation stage of a Consultation RIS. In accordance with the RIS Guidelines, once public consultation has been completed, an agency must consider the content of all submissions made during the consultation process and present these in the Decision RIS.

The purpose of this Decision RIS is therefore to:

- Summarise the public consultation activities, which were undertaken for the Consultation RIS
- Present the issues raised by the submission received during the consultation process
- Respond to the issues in the context of the proposal under consideration
- Advise where key changes are proposed to the preferred option identified in the Consultation RIS, and the reasons for those changes (including where the changes are the result of responses to consultation)

The Decision RIS will be assessed by the Queensland Productivity Commission and a letter of advice will be issued when their assessment is complete.

2. Summary of the Consultation RIS

A review of legislative arrangements for managing freshwater fisheries resources in Queensland (under the *Fisheries Act 1994* and the *Fisheries Regulation 2008*) is being undertaken by the Department of Agriculture and Fisheries (DAF). A stakeholder-based working group established in 2011 identified a range of issues, some of which have since been addressed by amendments to fisheries regulations. However, some issues related to freshwater fish stocking and commercial harvest of freshwater fish in Queensland were more significant. The Government directed that these issues required public consultation via a Consultation Regulatory Impact Statement (RIS).

Two key issues were presented in the Consultation RIS. These issues were related to management arrangements for and potential to expand the Stocked Impoundment Permit (SIP) Scheme, a user-pays system for recreational anglers wishing to fish in 32 designated stocked dams within Queensland. The Consultation RIS presented two key problems:

1. recreational fishing opportunities in some waterways outside the SIP Scheme dams would be improved by inclusion in the Scheme (Issue 1)
2. the current permit arrangements are difficult to enforce and result in inequitable and inadequate funding of the SIP Scheme (Issue 2)

The Consultation RIS included a Cost/Benefit Analysis of options to address these two issues. The preferred options derived from this analysis were:

1. expand the SIP Scheme to include additional specific weirs and impoundments (Question 4 in the Consultation RIS).
2. require that all adults over 18 years hold their own permit (Question 5 in the Consultation RIS)

The Consultation RIS included four additional questions, where no preferred option was presented. These questions were:

- Should consideration be given to changing permit fees for the SIP Scheme once every five years rather than once a year? (Question 7 in the Consultation RIS)
- Should consideration be given to increasing commercial fishing opportunities in freshwater? (Question 8 in the Consultation RIS)
- Should SIP Scheme funds be used to enhance freshwater recreational fishing opportunities, in addition to stocking? (Question 9 in the Consultation RIS)
- Should SIP Scheme funds be used for the representation of freshwater fish stocking groups? (Question 10 in the Consultation RIS)

The Consultation RIS was assessed by OBPR and a letter of advice confirming its adequacy for the consultation process was issued 19 August 2014.

3. Public Consultation Summary

The Consultation RIS was open for public comment for the period from 18 December 2014 to 27 January 2015. The document was made available online at:

- www.daf.qld.gov.au
- www.getinvolved.qld.gov.au
- www.qca.org.au

Key stakeholder groups were advised when the Consultation RIS was due for release. Media statements and Facebook posts were used to inform the general community that the RIS was available for comment. During the consultation period, Fisheries Queensland released four Facebook posts, four Twitter feeds, and two LinkedIn posts encouraging members of the public to provide comment on the Consultation RIS.

There were a total of 331 attempted responses to the Consultation RIS using the online survey tool. A number of responses were largely incomplete (contained only personal details) and others were duplicated. A total of 294 responses were suitable for subsequent analysis. Respondents were supportive of expanding the SIP Scheme to include more water bodies (Table 1) and requiring all adults over 18 years of age to hold their own permit (Table 2). A summary of responses to the remaining questions is also presented in Table 2.

Table 1. Summary of responses to Issue 1 (Question 4) in the Consultation RIS.

Option	Option 1a. Expand the SIP scheme to include specific weirs	Option 1b. Expand the SIP scheme to include all weirs and the freshwater reaches east of the Great Divide	Neither. I would like current management arrangements to remain unchanged
Number of responses	131 (45%)	82 (28%)	81 (27%)

Table 2. Summary of responses to Questions 5-10 in the Consultation RIS.

Question	Yes	No
Question 5. Do you support the proposal to require all adults over 18 years to hold their own permit?	187 (63%)	106
*Question 7. Should consideration be given to changing permit fees for the SIP Scheme once every five years rather than once a year?	199 (72%)	79
*Question 8. Should consideration be given to increasing commercial fishing opportunities in freshwater?	40	238 (86%)
*Question 9. Should SIP Scheme funds be used to enhance freshwater recreational fishing opportunities, other than stocking?	172 (62%)	106
*Question 10. Should SIP Scheme funds be used for the representation of freshwater fish stocking groups?	170 (61%)	108

*for questions 7, 8, 9, and 10 only 278 responses were received.

Detailed analysis of the public consultation exercise and submission from respondents is provided in Appendix 1.



4. Implementation and review provisions

Implementation of the regulatory framework to support reform of the freshwater fishery is proposed to commence on July 1 2016.

Impoundments listed in Table 1 of the Consultation RIS will be assessed against minimum eligibility criteria for impoundments on the SIP Scheme. Impoundments meeting these criteria will be added to Schedule 10 A of the *Fisheries Regulation 2008* (Prescribed Stocked Impoundments). Anglers will be required to purchase a permit to fish in these impoundments from 1 July 2016.

Fee amendments related to Question 7 of the Consultation RIS will necessitate amendments to Schedule 9, Table 4 of the *Fisheries Regulation 2008*. The fee changes (weekly permit to cost \$10.00, yearly permit to cost \$50.00 and concession yearly permit to cost \$35.00) will be processed with the fee amendment regulation for the whole of DAF portfolio, to apply from 1 July 2016.

No further regulatory amendments are required to implement the outcomes of the Consultation RIS. However, existing guidelines for operation of the Stocked Impoundment Permit Scheme will need to be amended. Fisheries Queensland will form a stakeholder working group to consult on these amendments. Specifically the working group will be asked to provide advice on;

- Amendments (if required) to existing processes and formulas for allocation of annual grants
- Amendments to guidelines for acceptable uses of SIPS grants
- Acceptable uses for funds allocated to a peak representative body to improve representation of stocking groups
- Amendments (if necessary) to existing guidelines for carryover of unspent SIPS grants
- Amendments (if necessary) to existing minimum eligibility criteria for new applications to join the SIPS Scheme
- Development of minimum performance standards for impoundments attached to the SIPS Scheme.

Updated guidelines for operation of the SIPS will be in place prior to 1 July 2016.

Stocking associations and the Freshwater Fishing and Stocking Association of Queensland (FFSAQ) will be provided with updated guidelines for operation of the SIP Scheme. A Communications Strategy will be developed to ensure that stakeholders in the freshwater fishery are informed of changes to operation of the SIP Scheme.

Appendix 1 Consultation Report

The Consultation RIS was open for public comment for the period from 18 December 2014 to 27 January 2015. The document was made available on the web at:

- www.daf.qld.gov.au
- www.getinvolved.qld.gov.au
- www.qca.org.au

Key stakeholder groups were advised when the Consultation RIS was due for release. Media statements and Facebook posts were used to inform the general community that the RIS was available for comment. During the consultation period, Fisheries Queensland released four Facebook posts, four Twitter feeds, and two LinkedIn posts encouraging members of the public to provide comment on the Consultation RIS. This resulted in a total reach of 10,456 people, a total engagement of 603 people, and a total of 168 link clicks.

Fisheries Queensland media releases resulted in one television story in Mackay and one radio interview in Toowoomba regarding the Consultation RIS during the consultation period. In addition, local and regional newspapers published articles regarding the Consultation RIS on 19 occasions, including information on how to provide comment. Table 3 demonstrates the audience of each of these newspapers and region in which they were published.

Table 3. News articles related to the Consultation RIS

News provider	Region	Audience
Cairns Post (2 articles)	Cairns, QLD	18,262
Clifton Courier	Clifton, QLD	1,050
Courier Mail	Brisbane, QLD	214,603
Gatton Lockyer Brisbane Valley Star (2 articles)	Gatton, QLD	20,089
Gympie Times	Gympie, QLD	3,794
Innisfail Advocate	Innisfail, QLD	3,695
MacIntyre Gazette	Darling Downs, QLD	1,650
Moreton Border News	Moreton, QLD	4,080
News Mail (2 articles)	Bundaberg, QLD	8,295
Oakey Champion	Oakey, QLD	3,000
Queensland Country Life	Brisbane, QLD	28,329
Rural Weekly insert	Toowoomba, QLD	58,692
South Burnett Times	Kingaroy, QLD	4,995
Sunday Mail	Brisbane, QLD	393,766
The Advocate	Ayr, QLD	3,677

Summary of responses

There were a total of 331 attempted responses to the Consultation RIS using the online survey tool. A number of responses were largely incomplete (contained only personal details) and others were duplicated. A total of 294 responses were suitable for subsequent analysis.

The majority of respondents (86%) identified themselves as individual recreational fishers. Nineteen responses (6%) were received on behalf of community fish stocking associations. Submissions were also received from two peak recreational angling bodies, Sunfish Queensland and the Australian National Sportfishing Association. Other respondents are detailed in Table 4 below.

Table 4. Descriptions of respondents

Category	Number
Individual recreational fisher	252 (86%)
Fish stocking association (response on behalf of an association)	19
Individual - member of fish stocking association	5
Individual - traditional fisher	2
Individual - fishing tournament organiser	1
Individual - commercial fisher / processor	1
Individual - tourism operator	1
Individual - other descriptions	11
Sunfish Queensland (Peak body)	1
Australian National Sportfishing Association (Peak body)	1

The analysis of responses was sub-divided to separate views of fish stocking associations and peak bodies from those provided by individuals.

Options to address Issue 1.

Issue 1 in the Consultation RIS was that recreational fishing opportunities in some waterways outside of the Stocked Impoundment Permit Scheme would be improved by inclusion in the Scheme. Three options were provided to address this issue in Question 4 of the RIS. Responses to this question are tabulated below (Table 5)

Table 5. Detail of responses to Issue 1 (Question 4)

Question 4. Of the options provided which do you prefer?	Stocking associations	Individuals	Total
Option 1a. Expand the SIP scheme to include specific weirs	11	120	131
Option 1b. Expand the SIP scheme to include all weirs and the freshwater reaches east of the Great Divide	3	79	82
Neither. I would like current management arrangements to remain unchanged	7	74	81

The Consultation RIS identified Option 1a as the preferred option on the basis that it would deliver the highest net community benefit by providing a mechanism for ensuring that impoundments currently outside of the Scheme are adequately stocked to maintain fish populations and protect biodiversity. This option also ensures that fishers will not be required to obtain a permit to fish in areas that are not stocked by the Scheme. Almost 45% of respondents agreed with the preferred option (1a.). Support for the alternative options was evenly divided. Approximately 28% of respondents supported Option (1b), and 27% of respondents indicated that they did not want to see any changes to current management arrangements.

Eight respondents suggested that suitable eligibility criteria need to be developed for any new water body being considered for the scheme. The three main criteria that were proposed (1) sufficient public access (2) an established fishery and (3) an established local fish stocking group. Three respondents suggested that the SIP scheme imposed unsatisfactory costs on the public and should be abolished. Other comments provided in relation to this question are tabulated below (Table 6).

Table 6. General comments on Issue 1.

Comments	Number of responses
Eligibility criteria need to be developed for any new water body being considered for the scheme.	8
The SIP program should be abandoned	3
The current fees are too high	1
Option 1b. will result in confusing regulations	1
Government grants should be reinstated for non-SIP groups	2

Support for any change from status quo is contingent on no net reduction in stocking at existing SIP dams	2
Compliance will not be possible in western Queensland	1
SIP funds should be used to stock species that will breed in dams	1

Recommendation: It is recommended that the preferred option of the Consultation RIS is to expand the eligibility criteria for Stocked Impoundment Permit scheme to include all impoundments, including weirs in Queensland. Specific impoundments would be assessed for potential inclusion in the Scheme only if a local stocking group makes a formal request for the impoundment to be included. Criteria for inclusion of new water bodies will be developed.

Freshwater systems generally have less capacity to cope with increased levels of fishing pressure, compared to marine systems. It is for this reason that freshwater stocking programs have been introduced throughout the state of Queensland, commercial fishing and aquarium collection has been restricted, and recreational fishing regulated. Approximately 135,000 people fish recreationally in Queensland's freshwater systems annually.

Stocking has been very successful and is recognised for its importance to the community in terms of enhancing recreational fishing opportunities, employment and subsequent economic benefits from increased fishing activity. There have also been benefits for conservation outcomes through hatchery production of rare and vulnerable fish species. The inclusion of further impoundments into the SIPS scheme will improve fish stocking in some impoundments that are currently outside of the Scheme by providing additional funding for the purchase of fingerlings. Increase stocking will in turn help to ensure that fish stocks in those impoundments are adequately replenished.

Sustainable freshwater fishing practices such as stocking, aid economic stability in regional communities. For example, the Bass to Barra Trail in Central Queensland is a tourist drawcard to towns such as Monduran, Callide and Cania, with the Trail including only dams that are part of the Scheme. Initiatives such as these help revive small towns and anglers often spend weeks travelling from one fishing destination to the other.

In some impoundments outside the Scheme there are concerns that fish stocks are not being adequately replenished by fish stocking to limit the negative externalities of fishing such reduced target and non-target fish stocks and reduced biodiversity. As 'put, grow, take' fisheries, these impoundments require regular stocking with fingerlings to maintain fish stock levels; however stocking in these locations is undertaken by community groups and funded by donations. In some areas, the level of donations is inadequate to cover the cost of the fingerlings required to maintain fish stocks.

Options to address Issue 2.

Issue 2 in the Consultation RIS was that the current permit arrangements are difficult to enforce and result in inequitable and inadequate funding of the Scheme. Question 5 in the RIS asked respondents if they agreed with a proposal to address this issue. Do you support the proposal to require all adults over 18 years to hold their own permit? Responses to this question are tabulated below (Table 7).

Table 7. Detail of responses to Issue 2 (Question 5)

	YES	NO
Stocking associations	15	6
Individuals	172	100
Total	187	106

The Consultation RIS identified Option 2 as the preferred option. The requirement for all fishers aged over the age of 18 to hold their own permit will improve enforcement and compliance outcomes as there will be no uncertainty around whether an adult fisher needs a permit. It will also better align the number of permits issued with the number of fishers using stocked fisheries. This in turn will help the Scheme raise sufficient revenue to fund the stocking activities required to offset the impact of fishing on stocked fish populations. This will reduce the risk of overfishing. The majority of respondents (64%) agreed with the preferred option. However 11 respondents commented that their spouse rarely fished, and that they would not continue to support the program if they were forced to buy separate permits. Other comments on this question are detailed in Table 8 below.

Table 8. General comments on Issue 2

Comment or issue	Number of responses
My wife is listed on my permit, but rarely fishes. I would not renew my permit if this change is made	11
My support is contingent on additional revenue being directed to fingerling purchases.	7
Introduce a family permit	4
Introduce a couples permit	3
Pensioners should be exempt	4
The pensioner discount should remain	4
The pensioner discount should be abolished	1
This proposal would increase non-compliance rates	1

Recommendation: is recommended that the preferred option for the Consultation RIS is to require all adults over the age of 18 to purchase and hold their own permit.

Currently, 75% of the fees collected from the stocked impoundment permit scheme (SIPS permit) go to groups for the purchasing of fingerlings for restocking. Anglers using rods and reels to take fish are required to hold a permit which allows them to fish in any of the listed impoundments. In addition, they are allowed to nominate their partner on the permit for no extra fee.

These rules have been in place since the introduction of the Scheme and it has become evident that there are problems with the current permit arrangements. In particular, the ability of partners to share a single permit has created compliance problems, as it is very difficult and time consuming for enforcement officers to establish that someone without a permit does not satisfy the partner exception. The sharing of permits between partners directly reduced the funds available for stocking and this negatively impact on the ability of the Scheme to achieve its objective of sustainable fish stocks. It also creates inequities as other fisheries are subsidising fishers that qualify for the partner exception. Similar programs in other jurisdictions do not allow partners to share permits.

Other issues for consultation

The Consultation RIS included other questions related to management of the SIP scheme and one question about potential to expand commercial fishing opportunities in freshwater. Responses to these questions are detailed below.

Question 7. Should consideration be given to changing permit fees for the SIP Scheme once every five years rather than once a year? Responses to Question 7 are presented in Table 9 below.

Table 9. Detail of responses to Question 7

	YES	NO
Stocking associations	14	7
Individuals	185	72
Total	199	79

The was very strong support for replacing the current system of annual indexation increases with the proposal of increasing fees by the cumulative 5 year indexation rounded up to the nearest whole dollar. More than 70% of respondents supported this proposal. Some respondents appeared to misinterpret the question, believing that a five year license option was being proposed. Other comments are summarised below.

Table 10. General comments on Question 7

Comment or issue	Number of responses
A family permit should be introduced	2
A five year option should be available	5
Price rises should be in round figures	4
Price rises should be limited to CPI	4
Other options (1,3, or 5 years) should be available	2
The entire fee structure should be reviewed	2

Recommendation: It is recommended that the proposal of a 5 year indexation on SIP Scheme permit fees be implemented.

The fee increases would replace the current system of annual indexation increases removing confusion on the pricing structure, increasing the sale of permits and therefore generating more funds to invest in stocking activities. The fees would be set every five years, increasing fees by the cumulative 5 year indexation rounded up to the nearest whole dollar. This change will help simplify the SIPS process and reduce issues for consumers, those selling permits on behalf of Fisheries Queensland and for the Department.

Question 8. Should consideration be given to increasing commercial fishing opportunities in freshwater?

Table 11. Detail of responses to Question 8

	YES	NO
Stocking associations	4	17
Individuals	36	221
Total	40	238

More than 85% of respondents opposed further expansion of freshwater commercial fishing to additional (non-eel) species in Queensland. Twenty of the 40 respondents who did support further expansion of commercial freshwater fishing stipulated that their support was limited to harvest of listed noxious fish species such as carp and tilapia and three others supported commercial harvest of redclaw crayfish. However, 34 respondents commented specifically that commercial fishing in freshwater dams and rivers would have unacceptable risks on by-catch and the environment.

Table 12. General comments on Question 8

Topic/Comment	Number of responses
There are unacceptable by-catch risks / effects on local environment	34
I support commercial fishing but only for noxious fish	20
Commercial eel fishing should continue	5
I support commercial fishing for redclaw crayfish	3
I would support commercial fishing if license fees were directed to stocking	3
I support more commercial charter operators and/or guides in freshwater	3

Recommendation: It is recommended that the expansion of freshwater commercial fishing to additional non-eel species is not supported.

Due to numerous correspondence from commercial fishers regarding the expansion of commercial fishing operations within Queensland freshwater systems, this question was posed to the community within the consultation RIS. The results of the consultation RIS process clearly indicate that expanding commercial fishing efforts is not supported amongst those who responded.

Question 9. Should SIP Scheme funds be used to enhance freshwater recreational fishing opportunities, other than stocking?

Table 13. Detail of responses to Question 9

	YES	NO
Stocking associations	11	10
Individuals	161	96
Total	172	106

Overall, 62% of respondents supported the use of SIP funds for purposes other than purchase of fingerlings for stocking. However, the responses from stocking associations were evenly split. The rationale for not supporting alternative use was mostly related to the original intent of the SIP scheme, which was to establish viable fisheries in areas where fish stocks had declined. Nine respondents commented that stocking associations should be able to propose alternative uses for their allocations and that these proposals should be considered by a stakeholder committee, similar to the former sub-committee of the Freshwater MAC. Other ideas proposed for use of SIP funds are listed in Table 14 below.

Table 14. General comments on Question 9

Proposed use for funding	Number of responses
Improving facilities including boat ramps, lighting and filleting tables	10
Research and monitoring to improve stocking strategies	5
Promotions and advertising for stocking groups	2
Administrative costs for stocking groups	2
Tag and fish tagging programs	2
Noxious fish control	2
Habitat restoration	1
Increased compliance	1
Public liability insurance	1
Noxious fish bins	1
Underwater shelters for fingerlings	1
Supporting fishing tournaments.	1

Recommendation: It is recommended that the allowable use of SIP funds be expanded to include other use, but restricted to a set of criteria requiring obvious direct benefit to stocked fish. This might include activities such as habitat improvements but exclude non-fish investments such as improvement of site facilities for tourists and stocking group members or wages. This will allow stocking groups to invest in equally important enhancements of the freshwater fishing activities. Increased investments will likely have positive flow on effects for levels of participation amongst freshwater anglers therefore increasing the amount of permits being purchased for angling in these areas. Final criteria regarding suitable activities are expected to be deliberated by a working group for approval.

Question 10. Should SIP Scheme funds be used for the representation of freshwater fish stocking groups?

Table 15. Detail of responses to Question 10

	YES	NO
Stocking associations	9	12
Individuals	161	96
Total	170	108

Overall 61% of respondents supported the proposal to allocate a portion of the SIP funds towards representation of freshwater fishing interests (i.e. allocating funds to meet operational costs of a peak representative body). However 12 of 21 fish stocking associations did not support this proposal. Five respondents indicated they would support the proposal but at a reduced cost (i.e. < 50K). Two respondents commented that they would support the proposal if the 50K covered costs of an annual fish stocking workshop for all stocking associations. One respondent proposed allocating support across three geographic zones (south-east Qld, central Qld and north Qld) and one respondent proposed that costs were appropriate but only for office expenses and not wages.

Recommendation: It is recommended that some proportion of the SIP funds be allocated to support operating costs for a peak body representing the stocking associations that participate in the scheme.

The freshwater recreational fishing and stocking workshops were held between 1987 and 2009, to foster feedback from the key stakeholders primarily; freshwater stocking; stocking groups, hatchery operators, freshwater fishers and the Queensland Government. Allowing a proportion of SIPS revenue to be allocated to conducting workshops will help facilitate a platform for sharing information, showcasing the program and its benefits and for presenting new ideas. This will help ensure that best practice operations are being undertaken throughout Queensland stocking groups and also increase positive stakeholder engagement and feedback mechanisms between members of stocking groups and Fisheries Queensland. Final criteria regarding the use of funds by a representative group are expected to be deliberated by the stakeholder working group for approval.

The consultation RIS offered respondents an opportunity to provide general comments related to management of the SIP Scheme.

Table 16. General comments on the SIP Scheme

Comment or issue	Number of responses
There should be no commercial fishing in any stocked dams	11
Commercial fishing for noxious species should be allowed in stocked dams	3
All SIP funds should go towards fingerling purchases	5
The list of potential new SIP sites is incomplete	5
SIP permits should not be required at locations where there is limited public access	4
SIP permits should apply to use of submerged traps	5
SIP permits should not apply for use of submerged traps	3
There should be more Government monitoring of SIP dams	3
The Government should control noxious fish in SIP dams	3
The Government should reinstate funding for non-SIP stocking associations	3
The administration costs for the SIP program are excessive	2

SIP agents should be paid a commission	2
More flexible options are required for purchasing a SIP permit	2
Some SIP funds should be paid to FFSAQ	2
A family SIP permit should be introduced	2
Charter operators should pay a fee for stocking in SIP dams	2
There should be no daily permits – day trips should be free	1
Pensioners should not be required to purchase SIP	1
There should be no SIP dams allowed in the Murray Darling Basin. Fish will escape to N.S.W	1
The SIP scheme should not apply at dams where SEQ Water has imposed a boating fee	1
SIP dams should be all catch and release	1
The SIP scheme should be run by an independent third party not the Government	1
Any water body should be eligible for SIP without any criteria being applied	1
Some SIP money should be redirected towards compliance	1
Some SIP money should be available to support local fishing tournaments	1
The Government should breed fingerlings for SIP dams	1
No SIP funds should be directed towards FFSAQ	1

Some respondents also provided comments about management of stocked dams in general rather than comments specifically directed at the SIP scheme. These comments are presented in Table 17 below.

Table 17. General comments on management of freshwater fisheries

Comment or issue	Number of responses
The Government should review bag and size limits in stocked dams	4
The Government should reinstate annual fish stocking workshops	2
The Government should introduce marine fish stocking programs	2
All submerged traps should be banned in Queensland	1
Species that breed in impoundments should be permitted for stocking	2

Appendix 2 Consultation RIS

Proposed changes to the Queensland Stocked Impoundment Permit Scheme and other matters related to freshwater fishing

Consultation Regulatory Impact Statement

Version 3



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Have your say

The Queensland Government is undertaking a review of the management arrangements for the Stocked Impoundment Permit Scheme associated with the Queensland Freshwater Fishery in order to provide advice on options for future management of the fishery. This consultation Regulatory Impact Statement (RIS) represents a formal step required to complete the review and ensures an open and transparent process.

The Government values the input of stakeholders in this process and how the complex suite of issues relating to sustainable use of fisheries resources can be addressed.

Recreational, charter and traditional fishers, hatchery operators, stocking groups and regional communities will all benefit from the ongoing sustainable management of freshwater fisheries. Other stakeholders (such as tourism operators, bait and tackle stores, fuel and accommodation providers and conservationists) also have an interest in Queensland's fisheries, and are also welcome to comment on the proposals outlined in this RIS.

Comments can be provided by completing an online questionnaire at www.getinvolved.qld.gov.au

Copies of the response form can be downloaded from the Department of Agriculture, Fisheries and Forestry website at www.daff.qld.gov.au.

Submissions close at 5 pm, 9 January 2015.

The Government will consider the responses received and may consult further before making a final decision.

The QLD Regulatory Impact Statement System

The Queensland Government is committed to applying Regulatory Best Practice principles to reduce the regulatory burden on the community and to ensure that where regulation is used it is efficient, effective and in the public interest. The Regulatory Impact Statement (RIS) System Guidelines, issued by the Treasurer require all Queensland Government agencies to carefully assess the impacts of proposed regulation on business, community and the government. Consultation is key to improving regulatory quality at all stages of the regulatory development process. Where a regulatory proposal may provide a net benefit to the community but at the same time is likely to have significant adverse impacts on a section or sections of the community a Consultation RIS is required. The Consultation RIS provides the community with the opportunity to consider the options and their impacts. Stakeholder responses to the Consultation RIS provide decision makers with valuable information on which to base their policy decisions and to avoid unintended consequences and unnecessary compliance burdens. Further information on the Regulatory Impact Statement System, including a copy of the Treasurer's Guidelines may be found at www.qca.org.au/Home.

Executive summary

Freshwater systems generally have less capacity to sustain fishing pressure than saltwater systems, so to ensure sustainability they must be managed on a more precautionary basis. In Queensland, this has been achieved by regulating freshwater recreational fishing and aquarium collection, fish stocking and limiting commercial activity.

Fish stocking involves the production of fish fingerlings by private fish hatcheries that sell these fish to community stocking groups who release them into dams and weirs. Each community stocking group must have an authority, issued by Fisheries Queensland, to release fingerlings. This ensures the releases are conducted responsibly to conserve and protect the unique biodiversity found in each freshwater catchment.

In 2000, the Stocked Impoundment Permit Scheme was introduced to support stocking in freshwater impoundments. To be part of the Scheme groups have to demonstrate that the stocked fishery could cope with expected increase in anglers and provide value for the cost of the permit. These restrictions have generally restricted the Scheme to operating in larger impoundments. If a dam is part of the Scheme, anglers are required to purchase a permit before they fish. Most stocked impoundments are 'put, grow and take' fisheries. This means the stocked species will not generally reproduce as they would in flowing rivers and they need to be regularly stocked with fingerlings in order to maintain the fishery.

A review of freshwater management commenced in 2011 with the establishment of a stakeholder-based Freshwater Working Group to provide advice to Government and brought together fisheries managers and key industry stakeholders. The issues identified by that group, provided in 2012, have been considered by Government and a number of amendments have already been made to fisheries regulations to address them. However, the group also identified a number of issues related to stocking and other matters that the Government has determined requires full public consultation through this RIS before a decision is made about how best to address them.

The problem can be broken into two issues:

1. recreational fishing opportunities in some waterways outside the Stocked Impoundment Permit Scheme would be improved by inclusion in the Scheme
2. the current permit arrangements are difficult to enforce and result in inequitable and inadequate funding of the Stocked Impoundment Permit Scheme.

Options to address the two issues are identified and discussed in this document as a way to identify which ones best address the problem, deliver the highest net benefit to the community and achieve the Queensland Government's policy objectives.

Preferred options:

1. expanding the Scheme to include specific weirs and impoundments
2. require that all adults over 18 years hold their own permit.

The public's view of these options, and their rationale, is being sought to inform the consideration of the options prior to a final decision being made by Government. Public comment is also sought on a number of other matters related to freshwater fisheries, these can be found under Part 9 of this document.



1. Introduction

1.1. Background

Freshwater systems generally have less capacity to sustain fishing pressure than saltwater systems, so to ensure sustainability they must be managed on a more precautionary basis. In Queensland, this has been achieved by regulating freshwater recreational fishing and aquarium collection, fish stocking and limiting commercial activity.

Key species targeted in freshwater include barramundi, golden perch, silver perch, Australian bass, Murray cod, sooty grunter, eel-tailed catfish and redclaw crayfish. Golden perch and Australian bass are the most commonly caught recreational fish species. Around 135,000 people fish recreationally in Queensland's freshwaters each year.

Businesses conducting charter fishing services in freshwater are based around the recreational users of the waterways and are generally small, family operations. Although charter fishing businesses are recognised as commercial operations they are not considered to be 'commercial fishing' as all fishers involved must abide by recreational fishing regulations.

A review of the Freshwater Fishery commenced in 2011 with establishment of a stakeholder-based Working Group by Fisheries Queensland, within the Department of Agriculture, Fisheries and Forestry (DAFF). The Working Group brought together recreational fishers and aquarium collectors, water storage managers, fish hatchery operators and conservation agencies to provide advice to DAFF and Government.

The Working Group identified a wide range of issues facing the fishery, with most issues focusing on the effectiveness and/or enforceability of the regulations. They recommended a range of management options, of which many have been assessed as not requiring a RIS due to the minor impacts of the changes, including standardising closed areas at dam walls and weirs. The issues to be addressed in this RIS pertain to the permit arrangements for the Stocked Impoundment Permit Scheme (the Scheme) and whether fish stocking is sufficient in some areas outside of the existing Scheme to maintain the fishery.

1.2. Freshwater fish stocking

Recreational fishers operate in a range of freshwater fishing environments. Fishers use fishing lines, a variety of traps and dip nets to catch their fish. Freshwater fishing has become increasingly popular over the last 20 years as shown by periodic surveys of recreational fishers. As a way to enhance recreational fishing opportunities in freshwater to support the increase in anglers, stocking of fish in freshwater commenced in the mid-1980s.

Fish stocking involves the production of fish fingerlings by private fish hatcheries that sell these fish to community stocking groups who release them into dams and weirs. Each community stocking group must have an authority, issued by Fisheries Queensland, to release fingerlings. This ensures the releases are conducted responsibly to conserve and protect the unique biodiversity found in each freshwater catchment.

Stocking has been very successful and is recognised for its importance to the community in terms of enhancing recreational fishing opportunities, employment and subsequent economic benefits from increased fishing activity. There have also been benefits for conservation outcomes through hatchery production of rare and vulnerable fish species.

It is also recognised that freshwater fish stocking has positive impacts on other fish populations through reducing fishing pressure on wild stocks, in both fresh and salt water.

In 2000, the Stocked Impoundment Permit Scheme was introduced to support stocking in a number of freshwater impoundments. To be part of the Scheme, freshwater stocking groups had to demonstrate that the stocked fishery could cope with expected increase in anglers and provide value for the cost of the permit. This generally restricted the Scheme to operating in larger impoundments. If a dam is part of the Scheme, anglers are required to purchase a permit before they fish. Most stocked impoundments are 'put, grow and take' fisheries. This means the stocked species will not generally reproduce as they would in flowing rivers and they need to be regularly stocked with fingerlings in order to maintain the fishery.

The Scheme currently includes 32 impoundments across Queensland. Eligibility for an impoundment to be part of the Scheme is restricted to large impoundments open to fishing. Anglers using rods and reels to take finfish are required to hold a permit which allows them to fish in any of the listed impoundments. In addition, they are allowed to nominate their partner on the permit for no extra fee.

Seventy five per cent of the money anglers pay to purchase a permit goes to local stocking groups who then purchase native fish fingerlings. The remainder is used to administer the Scheme. Permits are sold by 150 agents, which are small business operators in regional locations, usually situated near an impoundment covered by the Scheme. Permits can also be purchased online through the Queensland Government portal. Around 50,000 permits are sold each year, generating more than \$900,000 in revenue, of which an estimated \$700,000 is returned to stocking groups.

Permit fees currently increase annually in line with the Consumer Price Index (CPI). There are three permit options each with a different associated fee - Weekly \$8.00, Annual \$40.00 and Annual Concessional \$35.00. The current Annual Concession permit fee represents a 13% discount on the cost of an Annual permit.

In Queensland, around 2.3 million fingerlings are placed into stocked impoundments, including dams that are in the Scheme, each year. Fisheries Queensland assists all stocking groups by advising on the types and numbers of fish that may be stocked, issuing an authority to stock the fish, helping develop management plans and coordinating the allocation of funding to those stocking groups that are part of the Scheme.

Sustainable freshwater fishing practices such as stocking, aid economic stability in regional communities. For example, the Bass to Barra Trail in Central Queensland is a tourist drawcard to towns such as Monduran, Callide and Cania, with the Trail including only dams that are part of the Scheme. Initiatives such as these help revive small towns and anglers often spend weeks travelling from one fishing destination to the other.

A number of studies have looked at the economic benefit generated by stocking and from the investment of funds raised through the Scheme. These studies have found positive returns to Queensland's regional economies. A recent report by Gregg and Rolf (2013) found that for every \$1 invested in fish stocking, up to \$100 is returned to the community through spending on travel, accommodation, food, equipment and supplies associated with visiting a dam that is part of the Scheme. While fishing is a significant drawcard for the public to visit a stocked impoundment, it is recognised that it is not the only activity that is resulting in the observed economic benefit. Other activities, such as family picnics, sailing and walking also contribute.

1.3. Current regulatory framework (the status quo)

In Queensland, fisheries are managed by the Queensland Government under the *Fisheries Act 1994* (the Act) and a range of subordinate legislation, administered by the Department of Agriculture, Fisheries and Forestry.

The purpose of the Act is to provide for the use, conservation and enhancement of the community's fisheries resources whilst balancing social, economic and inter-generational needs, using the principles of ecologically sustainable development (ESD).

The Act applies the principles of ESD to all fisheries. These principles include intergenerational equity, biodiversity protection and the enhancement of social, economic and community well-being. These must

be achieved while applying the 'precautionary principle', which means that, if there is a threat of serious or irreversible environmental damage, lack of scientific certainty should not be used as reason to postpone measures to prevent environmental degradation.

Conceptually, Queensland adopts a similar approach to that of other Australian jurisdictions, all of which have a stated goal of achieving Ecologically Sustainable Development (ESD). Fishery resources are monitored and a risk-based approach is taken to determine access to those resources. The higher the risk of overexploiting or otherwise impacting on the resource, the greater the level of government control is required to achieve ecologically sustainable development.

Specific management arrangements are particular to individual fishery sectors, all of which differ in terms of the ecology of the resource and the logistics of access. This approach is also taken in other States, and for those States that have similar fishery sectors the specific management arrangements are often comparable.

In relation to stocking, fish are stocked in New South Wales, Victoria, Tasmania, Western Australia and the Northern Territory in some capacity and controls are in place to limit the type of fish that can be stocked and where. All of these jurisdictions, apart from the Northern Territory, require recreational fishers to hold an individual fishing licence (equivalent to the permit available under the Scheme) and some of the funding generated from the sale of licences supports stocking activities.

South Australia is the only Australian jurisdiction that does not support fish stocking in public waterways.

2. Issues statement

2.1. Problems facing the fishery

The common property nature of fish stocks encourages over-exploitation as individual fishers have little incentive to reduce their own catch even though doing so will benefit the long-term sustainability of the fishery and reduce the negative externalities associated with fishing. The lack of incentive arises because the ability to fish is unrestricted and each fisher knows that if they do not catch a fish, someone else probably will. There is little benefit to the individual fisher, at least in the short term, of reducing his or her own fish catch. Over the longer term however, the cumulative impact of uncontrolled fishing is depleted fish stocks and potentially reduced biodiversity. Regulation of Queensland's freshwater fisheries is required to address this 'tragedy of the commons' market failure and prevent over-exploitation of fish stocks.

While the fisheries are currently subject to regulation (for example, possession limits on certain fish species), two key problems have been identified by the Working Group:

Issue 1 – Recreational fishing opportunities in some waterways outside the Stocked Impoundment Permit Scheme would be improved by inclusion in the Scheme

Since stocking began in 1986, more than 40 million fish have been released into dams, creeks and rivers throughout Queensland by stocking groups. In fresh water, stocking is a proven method of maintaining a sustainable fish stock for fishing, especially in waterways that have dams or weirs on them preventing natural water flows and fish movement. Fish are currently stocked by two types of stocking groups: those that are part of the Scheme and those stocking groups outside of Scheme. Some groups release fish into both types of impoundments.

In some impoundments outside of the Scheme there are concerns that fish stocks are not being adequately replenished by fish stocking to limit the negative externalities of fishing such reduced target and non-target fish stocks and reduced biodiversity. As 'put, grow, take' fisheries, these impoundments require regular stocking with fingerlings to maintain fish stock levels; however stocking in these locations

is undertaken by community groups and funded by donations. In some areas, the level of donations is inadequate to cover the cost of the fingerlings required to maintain fish stocks.

Issue 2 – The current permit arrangements are difficult to enforce and result in inequitable and inadequate funding of the Scheme

The Scheme currently allows:

- a) a permit holder to nominate a partner (married or defacto) who can share their permit without needing to buy their own permit; and
- b) fishers under the age of 18 to be exempt from the requirement to hold a permit.

These rules have been in place since the introduction of the Scheme and it has become evident that there are problems with the current permit arrangements. In particular, the ability of partners to share a single permit has created compliance problems as it is very difficult and time consuming for enforcement officers to establish that someone without a permit does not satisfy the partner exception.

The sharing of permits between partners directly reduces the funds available for stocking and this negatively impacts on the ability of the Scheme to achieve its objective of sustainable fish stocks. It also creates inequities as other fishers are subsidising fishers that qualify for the partner exception. Similar programs in other jurisdictions do not allow partners to share permits.

There are no major problems with the permit exemption for fishers under the age of 18 and therefore this will remain unchanged.

3. Policy objectives

3.1. Ensure a sustainable recreational fishery

Queensland's fisheries are a shared resource that is highly valued across the community for its economic, social, traditional and cultural contribution to the State. The open access and common property nature of fisheries resources means government has an obligation to ensure that the resource is protected from over exploitation so it can be enjoyed in perpetuity, and sustain viable industries in the long term. Regardless of who takes the fish, the activity of fishing causes fish stocks to be lower than they would be if there was no fishing.

3.2. Ensure that the permit arrangements for the Scheme are effective and enforceable

The permit arrangements need to be enforceable and generate sufficient revenue for the Scheme to function effectively and achieve its objectives. If it too difficult to enforce the permit arrangements or if there are too many permit exemptions, the funding of the Scheme will be undermined and this will lead to inadequate stocking of the affected fisheries.

The proposed legislation will be made under the provisions of the Act. Sections 37 and 42 detail what can be declared in a Regulation and section 223 gives the Governor in Council the power to make Regulations.

4. Options and alternatives

Given the common property nature of the resource and the operational characteristics of the freshwater fishery, the options to achieve the reform objectives are relatively narrow. This section considers the various options available.

4.1. Regulatory options

Options to address Issue 1 – Recreational fishing opportunities in some waterways outside the Stocked Impoundment Permit Scheme would be improved by inclusion in the Scheme

Option 1a – Expanding the Scheme to include specific weirs and impoundments

It is proposed to allow all impoundments, including weirs, in Queensland to be assessed for inclusion in the Scheme if the local stocking group makes a request for an impoundment or weir to be included. Over 50 additional impoundments could be eligible for inclusion.

Eligibility criteria for inclusion on an expanded scheme is yet to be finalised but could be based on criteria such as:

- the size and fish carrying capacity of the waterway
- the level of public access
- whether the waterway has an established fishery for paying anglers; and
- whether a stocking group exists that is willing to be part of the Scheme.

Table 1 lists the locations that are proposed for consideration to be included in the Scheme should criteria be expanded. Stocking groups have been consulted and have indicated their support for these waterways to be included in the Scheme should the community agree.

Table 1: Proposed impoundments for inclusion in the Scheme under Option 1a

Aplins Weir	Atkinson Dam	Baroon Pocket Dam	Beebo Weir
Beehive Dam	Ben Anderson Barrage	Ben Dor Weir	Black Weir
Bonshaw Weir	Bowen River Weir	Bromelton Weir	Caboolture River Weir
Cecil Plains Weir	Charters Towers Weir	Chinaman Creek Dam	Chinchilla Weir
Claude Wharton Weir	East Leichhardt Dam	Ewen Maddock Dam	Gill Weir
Glebe Weir	Gleeson Weir	Glenarbon Weir	Goondiwindi (Hilton) Weir
Greenup Weir	Hinze Dam	Inglewood (Coolmunda) Town Weir	Jones Weir

Proposed impoundments for inclusion in the Scheme

Koombooloomba Dam	Lake Belmore	Lake Corella (Corella Park Dam)	Lake Julius (Julius Dam)
Lake Kurwongbah	Lake Moondarra (Leichhardt River Dam)	Lemon Tree Weir	MacIntosh Weir
Miles Weir	Moura Weir	Mt Crosby Weir	Sunny Girl Weir
Surat Weir	Talgai Weir	Whetstone Weir	Woodford Weir
Wyralong Dam	Yarramalong Weir		

Option 1b – Expanding the Scheme to include all weirs and the freshwater reaches of catchments east of the Great Dividing Range

It is proposed to allow all impoundments in Queensland and the freshwater rivers east of the Great Dividing Range to be assessed for inclusion in the Scheme following requests from stocking groups for their inclusion. Waters west of the dividing range would be excluded on the basis of ecological risks and the limited stocking opportunities that exist in the Murray Darling Basin. This option could see over 50 additional impoundments and 45 catchments becoming eligible for inclusion in an expanded Scheme. Eligibility for inclusion on an expanded scheme is yet to be determined but could be based on criteria such as:

- the size and fish carrying capacity of the waterway
- the level of public access
- whether the waterway has an established fishery for paying anglers; and
- whether a stocking group exists that is willing to be part of the Scheme.

Option to address Issue 2 – The current permit arrangements are difficult to enforce and result in inequitable and inadequate funding of the Scheme

Option 2 – Require that all adults over 18 years hold their own permit

It is proposed to require all fishers 18 years and older to hold their own individual permit. This will mean that all users of the resource contribute to funding ongoing stocking and fisheries enhancement.

5. Benefits and costs of options to address Issue 1

5.1. Benefits and costs of Option 1a

Benefits

Option 1a will improve fish stocking in some impoundments that are outside of the Scheme by providing additional funding for the purchase of fingerlings. Increased stocking will in turn help to ensure that fish stocks in those impoundments are adequately replenished.

Proposed changes to the Queensland Stocked Impoundment Permit Scheme and other matters related to freshwater fishing

Including impoundments in the Scheme may also generate additional opportunities for local businesses as more fishers may visit the impoundment if it is stocked under the Scheme. Fish fingerling businesses will also benefit as there will be increased demand for native fish fingerlings. The expected additional regional benefits from expanding the Scheme based on the Gregg and Rolf findings equates to an additional \$122,000 in the first year and \$1.22m over the first decade.

Costs

The inclusion of an impoundment in the Scheme will trigger the permit requirement. This means some fishers may need to pay to fish impoundments that they currently fish for free. It is estimated that an additional 30,560 anglers will need permits over the first 10 years at a cost of \$734,000.

The expansion of the Scheme will also generate additional administrative costs for government. The State Government will incur additional costs in administering the Scheme although these will be partially offset by its share of the additional permit revenue. It is estimated that under the current revenue sharing arrangements for the Scheme, the State Government will receive an additional \$18,000 in permit revenue in the first year and up to \$183,000 over 10 years to administer the scheme. There will also be additional costs for local authorities as they will need to ensure the car parks; boat ramps and other amenities around the fishing areas are properly maintained. Additional costs for fishing facilities are expected to amount to \$100,000 over 10 years.

The increase in fish stocking may also increase the risk of negative impacts on biodiversity and fish stocks. In particular, there is an increased risk of the loss of genetic diversity and adverse downstream impacts from fish escaping impoundments during overtopping events. These risks are limited, however, due to the controlled nature of the fish stocking under this option.

5.2. Benefits and costs of Option 1b

Benefits

Option 1b will improve fish stocking in some impoundments and waterways that are outside of the Scheme by providing additional funding for the purchase of fingerlings. Increased stocking will in turn help to ensure that fish stocks in those impoundments are adequately replenished.

The inclusions of an impoundment in the Scheme may also generate additional opportunities for local businesses as more fishers may visit the impoundment if it is stocked under the Scheme. Fish fingerling businesses will also benefit as there will be increased demand for native fish fingerlings. The expected additional regional benefits from expanding the Scheme based on the Gregg and Rolf findings equates to an additional \$283,000 in the first year and \$2.83m over the first decade.

Costs

The expansion of the Scheme will require some fishers to pay to fish in impoundments and waterways that they currently fish for free. It is estimated that an additional 70,000 anglers will need permits over the first 10 years at a cost of \$1.695m. Unlike the status quo and Option 1b, the permit requirement under this option is not optimally targeted as it may apply to waterways that are not stocked under the Scheme. This means fishers may be paying for stocking when the area they are fishing in is not stocked.

The expansion of the Scheme will also generate additional administrative costs for government. The State Government will incur additional costs in administering the Scheme although these will be partially offset by its share of the additional permit revenue. It is estimated that under the current revenue sharing arrangements for the Scheme, the State Government will receive an additional \$42,000 in permit revenue in the first year and up to \$424,000 over 10 years to administer the scheme. There will also be additional costs for local authorities as they will need to ensure the car parks; boat ramps and other amenities around the fishing areas are properly maintained. Additional costs for fishing facilities are expected to amount to \$200,000 over 10 years.

The increase in fish stocking under this option will also increase the risk of negative impacts on biodiversity and fish stocks. In particular, there is a substantially increased risk of the loss of genetic diversity, significant ecological impacts on waterways, translocation of fish species and introduction of disease.

6. Benefits and costs of option to address Issue 2

6.1. Benefits and costs of Option 2

Benefits

Option 2 will apply the same permit requirement to all adult fishers thereby simplifying the permit rules and improving their enforceability. This is likely to reduce the enforcement costs of the Scheme. The revised permit arrangements will also ensure that more fishers who benefit from the Scheme's stocking activities contribute to its funding. This in turn will help to ensure that the Scheme generates sufficient revenue to fund the stocking that is needed to maintain fish stocks and protect biodiversity.

Children under the age of 18 will not require a permit to fish in impoundments that are part of the Scheme. This continued permit exemption will help to ensure that fishing remains an affordable activity for families.

Costs

Option 2 will increase the cost of fishing in impoundments covered by the Scheme for some families as they will now require permits for all fishers who are over 18 years of age.

7. Preferred options

7.1. Issue 1 – Recreational fishing opportunities in some waterways outside the Stocked Impoundment Permit Scheme would be improved by inclusion in the Scheme

Option 1a is the preferred option. It will deliver the highest net community benefit by ensuring that impoundments that are currently outside of the Scheme are adequately stocked to maintain fish populations and protect biodiversity. The controlled nature of stocking under this option also minimises the environmental risks associated with stocking.

Option 1a also aligns the requirement for a permit with stocking activities under the Scheme so fishers will not be required to obtain a permit to fish in areas that are not stocked by the Scheme.

7.2. Issue 2 – The current permit arrangements are difficult to enforce and result in inequitable and inadequate funding of the Scheme

Option 2 is the preferred option. The requirement for all fishers aged over the age of 18 to hold their own permit will improve enforcement and compliance outcomes as there will be no uncertainty around whether an adult fisher needs a permit. It will also better align the number of permits issued with the number of fishers using stocked fisheries. This in turn will help the Scheme raise sufficient revenue to fund the stocking activities required to offset the impact of fishing on stocked fish populations. This will reduce the risk of overfishing.

Option 2 will also ensure that the costs of the Scheme will be shared more fairly and equitably across the fishers who benefit from the additional fish provided by its stocking activities.

8. Consistency with other policies and legislation

8.1. Competition Principles Agreement

The Queensland and Australian Governments agreed on the Competition Principles Agreement (CPA) in 1995, which established principles governing pro-competitive reform of government regulation. This means that regulation should not restrict competition unless it can be demonstrated that:

- the benefits of the restriction as a whole outweigh the costs; and
- the objectives of the legislation can only be achieved by restricting the competition.

Expanding the coverage of the Scheme to include additional impoundments may create barriers to entry as a fisher will now require a permit to fish at those impoundments. However, this restriction is justified as the benefits of the restriction (sustainability of fish stocks and the protection of biodiversity) outweigh the costs. Regulating access to the fishery is the only effective option for ensuring biological sustainability. It is considered that the restrictions are in the public interest and that the proposed subordinate legislation is CPA compliant.

8.2. Fundamental Legislative Principles

The fundamental legislative principles (FLPs) under the *Legislative Standards Act 1992* have been considered in the policy development for the freshwater fishery. The proposed policy approach aims to maintain 'the rights and liberties of individuals, and the institution of parliament' as laid out in the FLPs.

8.3. Other legislation

Implementation of the proposed amendments through the *Fisheries Regulation 2008* will be consistent with the objectives of the *Fisheries Act 1994* by providing an improved management framework for the fishery that will allow better use of fisheries resources and promote ecologically sustainable development. The proposed legislation will be consistent with the policy objectives of other legislation relevant to the freshwater environment, including state national parks legislation and the *Nature Conservation Act 1992* (Qld).

9. Other issues for consultation

In addition to the identified problem and its associated issues presented in this RIS, there are a number of related issues that have been raised by members of the community. At this time it is not proposed to make any changes to current arrangements related to the issues below. However, it was considered an opportune time to canvas wider views on them to inform future policy direction and discussions.

9.1. Should consideration be given to changing permit fees for the Scheme once every five years rather than once a year?

In recent years the fees for permits under the Scheme have increased annually in line with the CPI resulting in small increases (e.g. by \$0.20 for a weekly permit). These small increases have impacted many small businesses that have difficulties implementing annual changes efficiently because permit

sales do not represent a significant proportion of their business and do not generate direct revenue for them.

These businesses have requested that fees be reviewed every five years. This would result in one larger fee increase every five years rather than small fee changes every year. This view is also generally supported by anglers who purchase permits. Some businesses have chosen not to sell permits as a result of the fee complexities and this has directly impacted the revenue raised by the Scheme and therefore the amount of funds available for stocking.

Under the five year review option, it is proposed to increase the cost of a weekly permit by \$2.00, taking the cost to \$10 per week; by \$10.00 for a yearly permit, taking the cost to \$50; and \$2.60 for a Concession permit, taking the cost to \$35.00. The smaller rise to the concession permit is to avoid imposing additional burden on pensioners and would provide an increase in the discount they receive from 13% to 32% of the yearly permit fee.

The fee increases would replace the current system of annual indexation increases removing confusion on the pricing structure, increasing the sale of permits and therefore generating more funds to invest in stocking activities. The fees would be set every five years, increasing fees by the cumulative 5 year indexation rounded up to the nearest whole dollar.

9.2. Should consideration be given to increasing commercial fishing opportunities in freshwater?

Historically commercial fishing in Queensland has mostly been limited to saltwater. Other states have attempted to introduce limited commercial fishing for certain fish, however have struggled to ensure stock sustainability and commercial viability in an environment where highly variable water flows from one season to another and one year to another have a significant impact.

The limited commercial fishing activity that is allowed in freshwater targets eel, both as adult eels and juvenile eels. There have been numerous requests from interested fishers to allow additional species to be harvested on a commercial basis, including redclaw crayfish and noxious fish species from waterways in Queensland.

9.3. Could Scheme funds be used to enhance freshwater recreational fishing opportunities, in addition to stocking?

At present, an administrative agreement implemented when the Scheme commenced returns at least 75% of funds raised through the sale of permits to stocking groups. Mostly these funds have been used to purchase fingerlings for the ongoing stocking of impoundments. In the past, applications have been made by stocking groups to utilise funds for other purposes such as infrastructure improvements and public liability insurance costs for stocking groups.

The purpose of the Act and objectives of this review include ensuring fisheries resources are managed sustainably and with minimal impact on the ecosystem. It follows then that activities such as quality checking fingerlings, post-stocking monitoring and impact assessment and research should be undertaken on fish stocking activities to ensure the benefits of improved recreational fishing opportunities can continue in a sustainable manner. These activities could potentially be funded from the Scheme.

9.4. Should Scheme funds be used for the representation of freshwater fish stocking groups?

The peak representative body for freshwater fishing, the Freshwater Fishing and Stocking Association (FFSAQ) has requested that Government consider allocating approximately \$50,000 of Scheme funds to be used for the representation of freshwater fishing interests.



10. Consultation process

This Consultation RIS represents another step in the consultation process and Fisheries Queensland welcomes comments or suggestions with respect to the options outlined.

This Consultation RIS will be available for public comment for a period of 42 days.

The document can be accessed on the web at:

- www.daff.qld.gov.au
- www.getinvolved.qld.gov.au
- www.qca.org.au.

A survey will be available on the Get Involved website to collate feedback.

Key stakeholder groups have been advised the Consultation RIS is available.

11. Implementation, evaluation and compliance support strategy

Implementation of the regulatory framework to support reform of the freshwater fishery is proposed to commence 1 July 2015.

Implementation will focus around a web-based communication and education strategy and also utilise regional papers. This strategy will result in the dissemination of information to the recreational fishing sector, the commercial eel fishing sector and the general public.

The key measures that will be used to evaluate the improved sustainability and economic performance of the freshwater fishery include:

- number of SIPS permits sold
- number of impoundments on the Scheme
- increased compliance rates measured by the Queensland Boating and Fisheries Patrol
- reduced incidents of reported fishing impacts on non-target species.



Appendix

References

Gregg, D. and Rolfe, J. (2013). *An economic assessment of the value of recreational angling at Queensland dams involved in the Stocked Impoundment Program*, Centre for Environmental Management, CQ University Australia.