



August 2005

ANGLERS'

# ACTION



NEWSLETTER OF THE ANGLERS ACTION GROUP (SYDNEY NORTHSIDE) INC

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## Commercial buy-outs: who really benefits?

**A**nounced in June this year, the recreational fishing fee is now linked in with the CPI, and the first license fee increases to be effective from 1st July 2005. A three-year license will cost \$75, a one-year license \$30, a one-month license \$12 and a three-day license \$6. It is expected that much of the extra funds obtained from recreational fee increases will go towards further buy-outs of commercial licenses.

Recreational fishers in the Northern Territory, South Australia, Western Australia and Queensland may not need to pay for a fishing fee to buy back commercial licenses, but in NSW we do. The saltwater fishing license was first mooted by NSW Fisheries in 1999 with rumours of budget cuts forcing Fisheries to look at alternative revenue sources. The swaying argument for the license was the buy-out of commercial fishers to form recreational fishing havens, and the prospect of saltwater stocking. The saltwater license commenced on 23rd March 2001, and has been part of the State Government's policy ever since. Initially opposed to the concept of a saltwater license, the Opposition Fisheries Minister Duncan Gaye has recently stated that he is recommending the Opposition policy will be to maintain the recreational fishing license when it comes to Government.

The recreational fishing fees and the commercial buy-out scheme with the creation of recreational fishing havens were part of a bigger picture of "ecologically sustainable development of fisheries in NSW" and are some of the initiatives to improve the conservation and management of the State's aquatic resources. One of the stated aims of the recreational fishing areas process was "to promote harmony between commercial and recreational fishers in areas popular with large groups of anglers".

The original buy-out scheme commenced while Eddie Obeid was Fisheries Minister. In February and March 2001 the community was asked to nominate which areas they would like to see considered as potential recreational fishing areas, and the process began. An announcement was made in August 2001 that Botany Bay will be the first recreational fishing haven (with the purchase of the commercial fishing licenses) and this was later followed by Lake Macquarie. A total of 30 recreational fishing havens exist, costing \$20 million. The scheme

was funded with a loan from NSW State Treasury, to be paid back from the recreational fishing saltwater trust.

What of future commercial buy-outs? There are many commercial fishers willing to put their hands up for voluntary buy-outs, especially now as fishing businesses are experiencing financial difficulty due to increasing operating costs, and the influx of cheap imports flooding the domestic market. The problem began in the 1970's when, believing the resource to be virtually limitless, NSW Fisheries granted a large number of commercial licenses. There are currently about 1,240 licenses in NSW and it is generally recognised there should be about 800-900. Now, commercial fishers are suffering with too many in the game in a period of hard times. Recreational fishers are expected to pay for Fisheries past mismanagement with the buy-out of commercial anglers in an attempt to reduce effort. Sound familiar? One of the goals of the recreational fishing license and commercial buy-back scheme is for the ecological sustainable development of fisheries in NSW. This is done with recreational trust fund money fixing up past mistakes.

And who will benefit from the most recent of these buy-outs? Recreational anglers may benefit if there is a reduction in commercial effort, but will there be? In WA, about 90% of the commercial catch of salmon is sold for lobster bait, and the previous reduction of salmon licenses from 33 to 16 did not reduce the commercial catch by one tonne. Fewer fishers, but same overall effort. Will the biggest beneficiaries of these buy-outs be the commercial fishers remaining and of course NSW DPI (Fisheries), in that it has a source of funds to pay for past mistakes?

It appears mistakes are still being made, and it is funds from the recreational fishing fees that are being used to repair the damage. A fact many recreational fishers are aware of is that commercial fishers are taking the cash buy-out offer, then re-entering the industry by purchasing dormant or unused licenses. This was mentioned in "Fishing World" magazine by Steve Starling. An article in the Daily Telegraph followed this up and quantified the money spent from the recreational fishing trust in the original scheme. The article stated: "Department of Primary

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Industries documents show 24 professional fishers who were bought out for a total of \$3.13 million have now bought different licenses.” And “Documents obtained under Freedom of Information show 16 of the 24 professional anglers paid out in 2002 were given more than \$100,000 each, with the maximum being \$239,500.”

Is it any wonder many commercial fishers are now kicking themselves for not participating in the original buy-out scheme?

NSW DPI Minister Ian Macdonald reportedly stood by the buyout scheme in referring to the buyouts occurring in specific areas (known as recreational fishing havens) and of surveys that indicate increased recreational fish catches in these areas. This may be so, but several facts remain. Why wasn't a clause included in the initial scheme that prevented those that were bought out from re-entering the industry within a specified time frame? Why should recreational fishers pay the licence fees for these commercial fishers that have bought back into the industry? What of other areas that aren't recreational fishing havens that bear the brunt of the pro's relocation and the increase in commercial effort? Has there been a reduction in pressure on fishing stocks?

The problem is not only with those commercial operators bought out in the formation of the recreational fishing havens. What of the Marine Parks? About 90 licenses were bought out with the restrictions imposed on commercial operators with the formation of marine parks in Jervis Bay, Coff's Harbour and Cape Byron. Of these, about 45 have bought back into the industry, with a resultant increase in effort elsewhere.

The worrying aspect of this, is the statement attributed to shadow NSW Fisheries Minister Duncan Gaye: “The professional fishing industry warned Eddie Obeid about this problem before the buyouts were made but the Government went ahead anyway.” There are about 252 licenses that have not submitted a catch return for 5 years. Applying a cap on catch rates based on catch returns submitted would give these latent licenses a limit of zero and making them worthless. A case of use it or lose it.

There is an unwillingness of the NSW Government to put in a “no re-entry” clause for the operators that have sold their licenses, even for a specified period. Nothing is being done about the latent or under utilised licenses. Recreational fishers have every reason to be angry, and skeptical of plans for further buy-outs!

## **ECOFishers.**

### **A voice for NSW Fishing Clubs Australia**

The Manning Shelf Biodiversity Marine Bioregion Assessment Report has been released by the Marine Parks Authority. This document is the precursor to the Plan of Management which will make the recommendations for marine parks and their management, including no-take zones. The assessment report covers an area from Stockton to Nambucca Heads, and includes the Hunter estuary. Many fishers believe this document has a strong anti-fishing bias which will be reflected in the subsequent plan of management, and some have taken it to the next level.

NSW Fishing Clubs Australia has approximately 4000 members and about 210 affiliated clubs. Some months ago they decided to form a sub-committee to act as a lobby/protest group. Rod Burston was nominated to steer this group, and has already been actively lobbying on the issue of marine parks, and getting responses from various politicians. He has also

been instrumental in the forthcoming incorporation of the group called East Coast Organisation of Fishers, or ECOFishers and has been seeking working relationships with various angling groups.

A recent email from Rod has been keeping people informed of its progress, and the main part of Rod's email follows:

“The NSWFCFA umbrella protest group will be known as ECOFishers Inc. and will probably consist of a rep from NSWFCFA and nominated members from each local group as they become established and effective. ECOFishers will seek affiliation with NSWFCFA as a “body”. ECOFishers will be closely aligned with the NSWFCFA and we will have common policies. Local protest groups can simply be clubs/divisions of NSWFCFA or other Associations or broader based groups under a separate banner.

The Byron group is called Northern Rivers Fisheries Conference and has been up and running for a couple of years. Ken Thurlow heads it up but they have a significantly broad base and a good working party. They have been very successful and can be used as a model for other local groups.

We have formed a working relationship with the Anglers Action Group and the NSW Spearfishers and Freedivers Association. We will seek similar relationships with gamefishing, sport fishing and freshwater fishing Associations and lobby groups in due course. These groups may choose to join us or operate in a different manner but we all share a common interest in protecting our rights.

ECOFishers will have a team of professional advisors including strategists, scientists and legal people who are willing to help if needed.

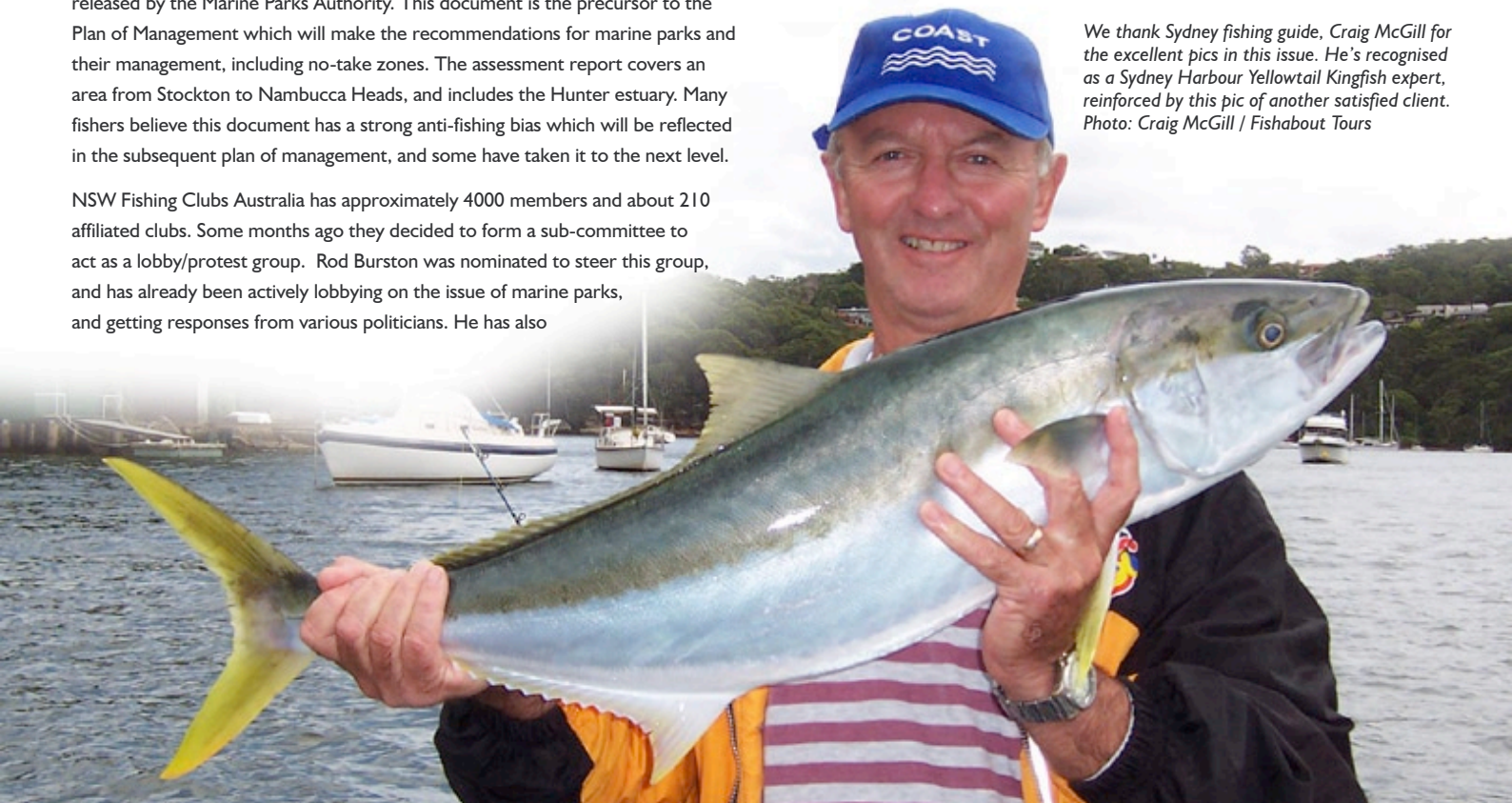
ECOFishers will have no political affiliations and will oppose or support either side of politics as needed. However we do work closely with independent State MLC Prof. Jon Jenkins of the Outdoor Recreation Party and Robert Smith of The Fishing Party. We will be happy to associate with other politicians who demonstrate that they are willing to support our cause.

ECOFishers is committed to environmental sustainability and is totally opposed to lockouts. We believe that people are an essential component of any balanced ecosystem. This is in direct conflict with the extreme green movement who believe that the only way to save their natural world is to lock people out.

The main game is our rights and especially the right of access. The strategy is to take on the Governments that are eroding our rights and especially the extreme green movement who are the root cause of the problem.

Remember that the right of access is a “right”. We are not asking for it, we already have it and they are not going to take it away”.

*We thank Sydney fishing guide, Craig McGill for the excellent pics in this issue. He's recognised as a Sydney Harbour Yellowtail Kingfish expert, reinforced by this pic of another satisfied client. Photo: Craig McGill / Fishabout Tours*





# Myths and Alchemy: Fallacies in the Marine Park debate.

Many pundits of marine parks attempt to convince fishers into the benefits of marine parks by pushing the notion that it is fishers that will benefit from closures in marine reserves. This notion is based on the concept of population dynamics for land animals being applied to the marine environment and basically means areas surrounding closed areas will act as sinks as fish move from the closed areas to those surrounding it.

Many fisheries managers and marine biologists are now expressing scepticism of the claims of the benefits of marine reserves to fisheries. They state that there are actually few studies that have addressed the issue adequately. It is too difficult to create a closure that would boost more than one or two fish species at a time because of the varying dispersal patterns of various fish species, and one size of a marine reserve won't be suitable for all species.

Also recognised are the difficulties in measuring the effects of marine reserves on fisheries and fish yields of adjoining areas, and there are two reasons for this dilemma. Firstly, there are no rigorous control sites, or sites which allows fishing that are in all other aspects equivalent to closed areas. This is necessary for the evaluation into the effectiveness of the closures. Secondly are the natural biases in the methodology. The exclusion areas selected for protection are, either by accident or design, those that tend to have higher fish populations than surrounding sites, and when comparisons are made with outside areas a bias is inherently present.

There is also the drawback that most research programs on the benefits of reserves are setup after the site has already been designated, rather than being part of the site's planning process. This makes the selection of adequate control sites difficult.

There is no doubt that marine parks can be used as a tool to protect biodiversity, and also for scientific reference areas. But to claim they would enhance all fisheries is unjustified at this point in time. Asked whether fisheries managers or the marine park authorities would be right to promise benefits to fishermen from reserves, Wendy Craik (former chair of the board of directors for the Australian Fisheries Management Authority) was reported as saying "I think (fisheries) managers should say they are looking at marine reserves as options. Without empirical evidence to say that reserves would enhance fisheries, to say otherwise would be courageous".

Why is it that Greens and environmentalists want to ban fishing but do nothing about the host of environmental factors? Such as eutrophication, thermal pollution, agricultural and industrial run-off, chemical contamination, acid sulphate soils, seagrass destruction, riparian vegetation removal and water flow in fresh water. The list goes on, and on and on.

AAG has written to the NSW Minister of DPI on the matter of evaluating the effectiveness of marine parks to fisheries. This has implications into the standard of environmental research in the Marine Parks Authority and the marine park process, especially with claims that the 300km long Manning Marine Park is already a done deal. It also raises questions as to the agendas of those pushing for an increase in areas to be locked up, and with rumours that the Bateman Shelf study is being re-written with a political bias following the bad feed-back from the Manning report.

It appears that others are taking notice and have been expressing similar concerns for some time. Ken Thurlow, chairman of the Northern Rivers Fisheries Conference, has been researching this subject for some time and has exposed

many of the myths used in the Cape Byron Marine Park. Ken has recently written a letter to a regional newspaper in the Byron Bay region on this very issue and has kindly given us permission to reprint it here. Ken's letter follows:

"The potential fisheries benefits are mostly theoretical and have not been demonstrated in practice." This is the finding of the Bureau of Rural Sciences and the CSIRO, who recently undertook a worldwide review of the scientific literature on the effectiveness of marine sanctuaries. An extensive 2003 American study confirmed this position. "As a tool for fisheries management, reserves are not generally as effective as traditional management measures and are not appropriate for the vast majority of marine species. Most marine species are far too mobile to remain within a reserve and/or are not overfished."

The 2003 study from Leigh Marine Laboratory (NZ) confirms, "Without empirical substantiation, predictions of fishery enhancement are deductions based on circumstantial evidence and ancillary information. We cannot predict what the effect of marine reserves might be."

Even W.J. Ballentyne, previously the strongest scientific proponent on the role and performance of marine reserves "agrees that empirical studies on the effects of marine reserves are few and of varying quality compared to the number of reviews and desktop studies that recommend them. And that using sanctuary zones as a fisheries enhancement objective is now questionable."

The CSIRO report concluded, "There are no well documented examples where fisheries sanctuaries have been shown to provide or maintain net economic benefits for preserving existing fisheries."

So the myths and alchemy have been exposed and exploded. The community overwhelmingly rejected the draconian draft zoning plan for the Cape Byron Marine Park. It was acknowledged as being inept, ill-conceived and user unfriendly".



Photo: Craig McGill

*"The community overwhelmingly rejected the draconian draft zoning plan for the Cape Byron Marine Park. It was acknowledged as being inept, ill-conceived and user unfriendly".*

## What's actually permitted with a NSW Fisheries research permit?

AAG has been cc'd a letter (with photographic support) sent to the NSW Minister of Fisheries from the coordinator of the South West Rocks Marine Group dated 23 June 2005. It concerns an incident that occurred at South West Rocks on Saturday 14th May 2005. This took place at Front Creek where a school of sea mullet had become landlocked. Present were vehicles and boats from local beach hauling crews together with a vehicle with a Fisheries Research sign. Of concern is the paragraph in the letter that reads as follows:

"I spoke with the person who stated he was the DPI Fisheries research officer.

I stated that the assembled crew did not hold any estuary endorsements or permits. He agreed they only held beach haul licenses but stated that they could net the fish under his research permit. He stated that he intended to net the area." Whether this conversation took place or not is immaterial, as is the subsequent opening of the lake that evening to let the mullet run to sea and supposedly into nets. What this alleged conversation does is raise a number of questions and issues as to what Fisheries officers are allowed to do, such as:

- Do the current regulations allow people without the proper license to use commercial fishing gear to catch fish under the research permits held by NSW DPI Fisheries research or its officers, that they would otherwise not be legally allowed to use?

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- If they are, then is this permissible at the discretion of the Fisheries officer concerned or are there controls in place where approval needs to be obtained or at least more senior staff notified? Is follow-up reporting required?
- Are there any conditions, restrictions or stipulations that allow such use of a Fisheries officers permit? If so, then what are they?

AAG is aware that there may be times when commercial fishers or other people may be called in for a research project and to carry out specific operations for which they are otherwise not legally entitled to do, such as the limited netting of the recreational fishing haven in Botany Bay for the catch-and-release project in 2003. The problem is the potential for abuse of the system, or what may be seen or interpreted by others as the abuse of the system with collusion or something more serious. Fisheries staff must not only act with propriety, but they must also be seen to act with propriety. The public must also be assured that procedures are in place to ensure that this happens.

## Offshore sand mining questioned by AAG

Sydney's major source of construction sand at Penrith Lakes is expected to be exhausted in 5 years and the State Government has placed a ban on further mining of dunes at Kurnell. In a bid to solve Sydney's shortage of marine sand, Sydney Marine Sands Pty Ltd is reportedly renewing its push to dredge the seabed off Sydney. They have written to the State and Federal Governments to review the decision not to allow the taking of test samples. These samples are supposedly about 3kg each, and are to sample the sea floor at depths of 50-90 metres about 5km from the coast.

Sydney Marine Sands Pty Ltd first applied for an exploration license of about 60 sq km in Commonwealth controlled waters offshore from Narrabeen to Whale Beach in 2003. This was reported in AAG Rag #34 in July 2003 in the article "Offshore Sand Mining: Environmental disaster or the lesser of two evils". As the title suggests, there were conflicting views on the proposal. At the time local councillors, and State and Federal politicians (including the Premier Bob Carr) were strongly opposed to the plan on environmental grounds. A more reasoned response came from the Sydney Coastal Councils Group Inc who noted alternate sources for construction sand would involve land mining in sensitive areas such as the Newnes Plateau, a state forest near the Blue Mountains. They also made a recommendation for a quarantine on any extraction of offshore sand reserves until such time that all biophysical, ecological and economic issues and impacts are quantified to ensure that the beaches are preserved and managed for future generations. At the time AAG had pointed out the double standards with regards to two purposes of sand extraction from the sea floor. First was the disastrous environmental effects that offshore mining for sand would have if the product was used for construction sand. But, secondly, when used for beach nourishment and property protection along Collaroy/Narrabeen beach, these same environmental concerns were either ignored, not relevant or not mentioned. The proposal by Sydney Marine Sands Pty Ltd to mine the sand off Sydney may be politically sensitive, but it seems fine to do it to protect private property.

AAG's final paragraph in that article holds true today as it did then: "This application by Sydney Marine Sands Pty Ltd highlights the current lack of information that effects of mining the offshore/inshore sands will have on the environment, marine habitats and fish populations, and it makes little difference whether this sand is to be used for the construction industry or beach nourishment and property protection.

Little is known of the processes involved, the distribution of flora and fauna, the extent of sand movement over the reef structures and the effects of currents and tides, let alone what the effects of the removal of sand will have on the marine environment. This basic research needs to be done so informed decisions can be made, and decisions made without this information can result in disastrous consequences".

A delay in the decision making process until one is forced to be made when the current supplies run out will not likely have the suitable lead time to undertake these essential ecological studies. This is highlighted in the comments made by an AAG member familiar with the proposal: "... the go ahead will depend on political will power and urgency rather than good science, management and consultation."

Photo: Craig McGill

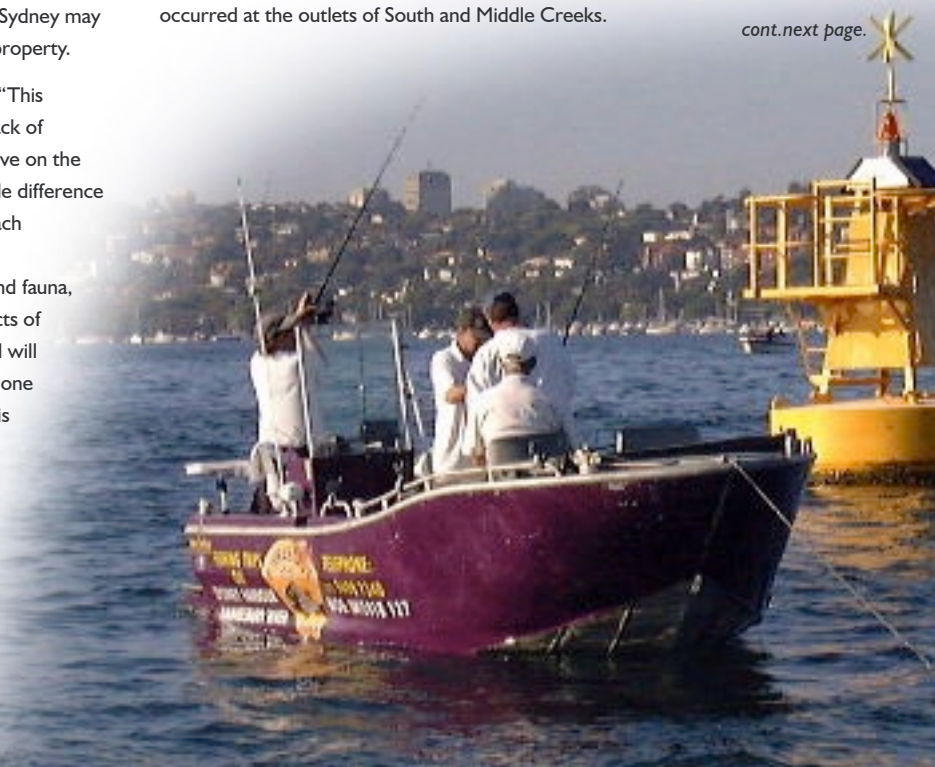
## Dredging in estuaries: The Narrabeen Lagoon scenario

Dredging of estuaries is generally detrimental to estuaries and sea grass beds as it physically removes sea grasses, but increased turbidity and water depth is also detrimental to the environment for sea grasses. This is recognised in the Fisheries Management Act (1994) where Division 3 applies to dredging and reclamation other than for the purposes of mining, restoration or maintenance of a navigation channel, or for the removal of accumulated silt from a stormwater channel. Section 199 requires public authorities to give notice to the Minister of any proposed dredging or reclamation work in any waters and consider any matters raised by the Minister in relation to such notice. Dredging is normally not permitted in seagrass habitats, except for essential navigation purposes.

With concerns that Narrabeen Lagoon is experiencing sedimentation problems, particularly in what's called the Central Basin, Warringah Council administrator Dick Persson hosted a summit on 13th April 2005 to discuss future plans for Narrabeen Lagoon. With the cause of the perceived sedimentation being development in the lagoon's catchment, Environment Minister Bob Debus announced that 450ha of Crown Land at Cromer, Belrose and Oxford Falls will be locked up and permanently protected from development, and a further 170ha could be quarantined if a Lands Dept study recommends it. The summit also recommended that dredging be considered an option in the management of the lagoon. There has been much recent publicity given to the problems being experienced by a local sailing club with the shallow depth of parts of the Central Basin, the area where they sail. Warringah Council has pursued a proactive management of the lagoon since the 1970's and have advocated for active recreational uses such as sailing and canoeing to be concentrated in the Central Basin. The Council has formed the Dredging Working Group, and it had its inaugural meeting on 9th June 2005. This Dredging Working Group identified two preferred dredging locations and marked them on a map. AAG member Dave Cunliffe sited this map and says that the locations "were not narrow channels, but were huge parcels of sea grasses".

The Council's proposal to dredge the Central Basin in the early to mid 1990's was for the purpose of deepening the Central Basin for recreational purposes. At the time Warringah Council never stated that the purpose of dredging was to address the sedimentation problem of the Central Basin, nor to improve water flow and water quality. But is sedimentation a problem in the lagoon, or is it merely a perceived problem to promote the dredging proposal? A survey conducted in 1994 using advanced laser surveying equipment re-established the transects of a 1984 Public Works survey. This survey indicated an annual siltation rate of around 1cm per year over 10 years in the Western Basin. Siltation in the Central Basin was minimal, and what there was, was of a temporary nature occurring as siltation in previously dredged areas. The greatest change in levels occurred at the outlets of South and Middle Creeks.

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The proposed dredging at Narrabeen Lagoon does not follow the Fisheries guidelines for dredging, in that:

- The dredging is being proposed over two areas of significant sea grass beds.
- The dredging is not being proposed in an area of rapid accretion, over barren sand, nor for essential navigation purposes (recreational sailing is not considered essential navigation).
- The proposed dredging depth exceeds the 2.0m depth below the low water mark to ensure the substrate remains in the euphotic zone.
- NSW Fisheries require a buffer zone of 50m around seagrass areas for dredging to be permitted.

Many people are aware of the importance of seagrass beds. They represent nursery areas for many species of fish, but they also act as a filtration system absorbing dissolved nutrients and converting them to plant material, greatly expand the base of the food web and act as a binding agent for the mud, silt and sand in which they grow. They can only exist in specific conditions. Of prime importance is the lack of wave action, hence their distribution in sheltered bays and estuaries. The other critical aspects are nutrient supply, turbidity and water depth. A survey conducted by NSW Fisheries in 1983 estimated that approximately 21% of Narrabeen Lagoon had sea grass cover. This figure likely waxes and wanes over time.

It is generally accepted in the literature and by NSW Fisheries that dredging, pollution and sedimentation have destroyed much of the sea grass beds in NSW. This is highlighted by Tanner and Liggins (2000) estimate that in 1999 there was only 21.9km<sup>2</sup> of sea grass beds remaining in the estuaries and sheltered coastal waters from the Hunter River to the NSW/Queensland border (Tanner, M.; and Liggins, G.W., 2000. New South Wales Commercial Fisheries Statistics 1998/99. NSW Fisheries, Cronulla. ISSN 1320-337). Any potential loss of sea grass beds in the estuaries of NSW is to be avoided, and any proposed dredging of an estuary should be carefully considered.

AAG considers the main issue of dredging Narrabeen Lake is one of protecting diminishing sea grass beds in NSW estuaries. But there appears to be a paradox in the thinking of the State Government and local Council. Recreational fishers are facing ever increasing access restrictions in the name of habitat and biodiversity protection of the marine environment, and yet it appears that it is only recreational fishers that are speaking out about this proposal. The rest of the community must also meet their responsibility and obligation with the protection of marine biodiversity and habitats.

## Resourcing our representatives: The unheard voices

The structure of representation for recreational fishers is, as we perceive, activity based for ACoRF and regionally based for the recreational expenditure trust fund committees. Separate to this are the recreational representation on the various Management Advisory Committees (MACs) and other groups and committees. This structure, on the surface, seems to fulfill the requirements of NSW DPI (Fisheries) and provide recreational fishers with adequate representation on the various advisory committees. One of the advantages of paying for the right to fish is that we get a say in fisheries management. But how much of a say, when communication is stifled?

Representation of recreational anglers on various committees and MAC's is one thing, but to be able to function properly the recreational representatives need to be able to get information to and from those they represent. This not only includes minutes of meetings and decisions made, but may involve discussions as to the reasons for these decisions and other points of view expressed, especially those that may not be in accordance with Fisheries views or agendas.

Information flow and discussion is paramount, and for this there needs to be either a method or system in place, or funds and resources be made available for the representatives to disseminate and receive information. Recreational anglers pay a fee in the way of a fishing

license. This has given us a say with appointments to various committees, trust fund expenditure committees and MACs, but this representation is meaningless to the majority if information flow is restricted.

AAG had written to DPI Minister Ian Macdonald on this matter and gave one example of resourcing that would suffice with the provision of generic Fisheries email addresses and access to Fisheries email lists for these representatives. The following is an excerpt of his reply:

"I acknowledge your idea of generic NSW Department of Primary Industries email addresses for committee representatives. Currently the majority of committee representatives already have their own personal email facilities, which they use to consult with the Department and members of the public".

"To further facilitate and encourage consultation between committee representatives and other stakeholders, members of the public can contact the Department, on the information advisory line 1300 550 474 or information advisory email address: [information-advisory@fisheries.nsw.gov.au](mailto:information-advisory@fisheries.nsw.gov.au) - details of which are provided on the Department's website: <http://www.nsw.dpi.gov.au>. Departmental officers can then seek permission from the committee representative to send their email address or other contact details to the fisher. Permission will only need to be sought once for each fisher who can continue to use the contact details of that committee member. This simplified process will satisfy the privacy requirements of committee members under the Privacy and Personal Information Act 1998 and will facilitate ongoing correspondence between committee members and the public"

It seems the Minister considers their solution to be adequate in providing the resources required, but AAG does not share the same sentiments and we think it does not facilitate information flow, dissemination and discussion. Why is it that NSW DPI (Fisheries) do not wish to provide resources for angler representatives to have free and adequate access to those they represent? It follows that the current structure of "recreational representation" is of limited use to the majority of anglers.

The idea and structure may sound good with spin-doctoring, but in reality, without adequate funds and/or resources being available to provide for information dissemination and comment nothing is really achieved, no matter how many representatives are present on the various committees.

(Pictured:) NSW DPI Minister Ian MacDonald on a Fishabout Tours charter in Sydney Harbour. Photo: Craig McGill



## Anglers' Action News Fillets

- Following our lead article in Anglers' Action #40 AAG received an email from a RecFish Australia delegate, with his copy of a draft response from RecFish Australia dated November 2004. The final letter was suppose to have been sent to AAG, but it seems that there may have been a communication problem between Perth and Canberra. We are willing to accept that, but it still does not change the gist of our lead article with regard to representation and funding and we still have not received an official response to our letter.

- Recreational fishing groups have accepted the fact that negotiations must occur with the Commonwealth with respect to Commonwealth tuna fishers, striped marlin and baitfish. Senator Ian Macdonald has said that the Commonwealth has issues with some of the conclusions in the "Marlin Report" by Ernst and Young, but did not elaborate. In Western Australia there was the Resource Sharing in the Western Tuna and Billfish Fishery, a report of recommendations and options report on resource sharing and based on negotiations between stakeholders. The preferred option will be one of a shared resource which includes exclusion zones for commercial fishers for a 5 year period. During this period both parties will contribute towards a research program, the results of which will form the basis of another review. The preferred option has exclusion zones for all commercial fishing except purse seining from waters within a 100nm strip (ie 50nm north and south) of 11 key ports and out to the 200m isobath. If the Commonwealth is willing to negotiate, this will likely be the model they choose.

- AAG's main concern with Commonwealth fishers is the taking of baitfish. There is no formal agreement between the State and Commonwealth. There is also the independent verification of harvest rates of bait reported in the log book system, there isn't any. In a letter to AAG on 23 December 2004 the Minister states: "Catches so far for approximately 29 vessels that have submitted returns, totalled around 130 tonnes for the first year". This reported figure seems way too low.

- One has to wonder what it takes for Fisheries to act on reports of longliners illegally collecting bait inside the closure at Trial Bay in broad daylight with apparent immunity? It seems it's a letter to Ian Macdonald copied to Hi Tide, AAG, NSW Fishing Monthly and Duncan Gaye. Follow-up queries by Hi-Tide presenters has Fisheries considering prosecution of one particular incident, but this raises two issues. Firstly, how can longliners continually break the law with repeated complaints on the same matter not being investigated. Secondly, one has to doubt the accuracy of the log book reporting system for the longliners.

- On a recent radio show the Shadow Fisheries Minister Duncan Gaye stated that, although the Opposition went into the last election with a policy opposing the recreational fishing licence, he is trying to turn this around as the new policy gets developed. Now in favour of the licence, and seeing some of the benefits being done, he sees the main problem being one of transparency of expenditure, hinting at the requirement for an independent auditing of trust fund accounts. This is an issue AAG has been pushing for some time, but it appears that the Minister and Government is content with merely presenting expenditure in un-auditable expenditure statements.

- Now that the Labour Government was returned in the June election in the Northern Territory, it will be interesting to see if they keep a pre-election announcement where they would spend more than \$1 million buying back commercial barramundi licenses and coastal net licenses.

- The Victorian Premier Steve Bracks announced in May that his Government will allow the use of money from the recreational fishing license to fund a one-off voluntary buy back of commercial fishers in Victoria's bays and inlets.

- In an attempt to protect species like garfish, King George whiting, Tommy ruff,

calamari and snook, the South Australian Government offered to buy-out marine scale fishers by purchasing their license for a one time payment of \$300,000 or their net endorsement for \$140,000. Future strategies being considered include area, seasonal and weekend closures for commercial fishers and boat and bag limit changes for recreational fishers.

- NSW DPI Minister Ian Macdonald has decided against the re-opening of trawling in Hawkesbury below Juno Point on weekends and public holidays. The operating hours of trawlers will be reviewed should a consensus approach be supported by the key advisory bodies on commercial and recreational fishing.

- NSW DPI (Fisheries) have announced a new 3 year research project into the factors contributing to the survival rates of various fish species following catch and release. The project worth almost \$1 million will be jointly funded by NSW DPI and the Saltwater Recreational Fishing Trust, and follows an earlier project now in its final year. This earlier project estimated the short term survival rates of popular recreational species, with the release of more accurate survival rate figures for snapper (67%), yellowfin bream (72-100%), trevally (63-98%), sand whiting (93%) and mullet (69-92%). The new project will also look at developing new designs for fish hooks. But hasn't AFTA done a lot of their own research in this area?

- The Minister for Primary Industries and Fisheries in Queensland has released the results of a recent state-wide telephone survey into recreational fishing. The results showed that about 20.6% of Queenslanders (about 733,000 people) over the age of 5 had been fishing at least once in the last 12 months. This is

down by about 117,000 people when compared with a 2001 survey which showed that 24.6% of the population fished, or 850,000 people. The data apparently shows the fall in participation rates in the Mackay, Townsville and Cairns areas are over 10%. This coincides with decreases in fishing related businesses noted in the Cairns region.

- In response to the Victorian Government's proposal to deepen the shipping channels in Port Phillip Bay, the Rip and Yarra River, a group of stakeholders have joined forces to form the Blue Wedges Coalition. Groups making up this coalition

include recreational anglers, commercial fishers, environmental and greens groups to present a unified front opposed to the Channel Deepening Project. Recently announced is environmental test dredging of 1.7 million cubic feet of earth to be moved over 3 months and costing \$32 million. Dredging for shipping lanes is a major loss of sea grasses, and it has been estimated that over 70%, or 180km<sup>2</sup>, were lost in Western Port between 1973 and 1984.

- DPI Minister Ian Macdonald, while attending the RFTFEC meeting in June at Coff's Harbour, reputedly claimed there was nothing he could do about marine parks at his level. There is a mandatory 27% lockup stipulated by the Government, and any change would need to come from public pressure and for this the recreational and commercial sectors would need to cooperate. He also supposedly said he is committed into looking at ways of assessing if marine parks are working, but would not comment on monitoring and reopening up of areas to fishing as done in the Great Barrier Reef Marine Park and in Western Australia.

- Reported in the Manning River Times in June, Jon Jenkins was quoted as saying that the Manning Marine Park is already to go ahead, and was based on the model used in the Byron Marine Park. The park will either be one large park extending over 300km from Stockton to Nambucca Heads, or one large park from Anna Bay to Hallidays Point with two smaller parks centred on Laurieton and South West Rocks. The report said that Mr Jenkins claimed that about one third to one half of the 300km long park will be off limits to fishermen through access restrictions via land based National Parks in addition to fishing and boating restrictions in the marine park.



Photo: Craig McGill



## Scuba diving fees will boost protection measures for grey nurse sharks?

The recreational fishing license in NSW is put down as a “user pays” system. The problem with “user pays” systems is where will they end? Small groups paying extra fees does not affect the majority of the community, so they are not interested. That is, until their small group becomes involved in a similar scheme, as has happened with the 20th June announcement by Fisheries that “scuba diving fees will boost protection measures for grey nurse sharks”.

We now see the “user pays” system expanding to divers in grey nurse shark critical habitat areas. It seems that extra money is required to fund the IVF research into the grey nurse shark, estimated to cost \$10m over 3 years. In their press release DPI Fisheries have used the recreational fishing fee to justify the proposed fee on the divers. The concept being that it will be the divers that will benefit most from increased numbers of grey nurse sharks so they can also contribute to the research into the grey nurse shark and other related projects.

Many scuba divers consider themselves to be the self professed saviours of the marine environment, and this is shown in their attitude towards line fishers and the proposed \$20 dive fee. Many divers argue that it was the scuba divers that gave up their own time and assisted DPI Fisheries into the research of grey nurse numbers and they also reported on the impact of fishing by recording the presence of large hooks in the sharks’ mouths.

The attitude by many recreational fishers is that it’s about time the scuba industry paid for access and many may rejoice at the “payback”. But there is more to this than the actual fee. First and foremost is where will the user pays system end? Spearfishers already pay a recreational fishing license. Will they need to pay again? The Minister, upon answering a question in Parliament by shadow Fisheries Minister Duncan Gaye would not rule out snorkellers having to pay. Then there is the question of who should pay for research for the protection of (supposedly) endangered species. Surely that’s society’s responsibility. Otherwise any Government department could charge fees for the name of “research”.

And then there’s the “related projects”. Will these include the provision of mooring buoys in these critical habitat areas for these operators to limit anchor damage? Damage to a critical habitat site is against the law (Section 220ZC of the Fisheries Management Act 1994). But doesn’t the installation of a mooring buoy damage the habitat? So by installing them you are actually breaking the law!

A second part of Fisheries press release for this proposal is to put in place control measures to minimise detrimental impacts on the shark population by large numbers of divers by ensuring that people wishing to dive grey nurse shark critical habitat areas will be required to “dive with specifically licensed commercial charter dive operators and to adhere to certain diving practices in place at the sites.” One has to wonder if this access restriction is to control the numbers of divers accessing these sites, or was it proposed by some dive charter operators with vested interests and jumped on by DPI Fisheries? Restricting access to particular operators may sound good in theory, but think about it ... it can be used to restrict access for fishing or any other activity in

### We need quality photographic images in print, transparency or JPEG / TIF format for ANGLER’S ACTION.

As we’re all volunteers and doing this for no remuneration, (except the reward of contributing to a future recreational fishery) we haven’t the funds to purchase images.

If you likewise want to contribute to a future fishery, via photo input for ANGLER’S ACTION, give me a call or email me (contact details last page). We will place a photo credit (your name) on every image used.

**Warwick Gibson / Editor**

particular areas to registered charter operators. Both aspects of this proposal should be questioned, not only by the dive industry, but also by all user groups of the marine environment, including those that walk along the beaches. Restricting access to these sites to divers unless with registered charter operators is a dangerous precedent that can be applied to other areas such as marine parks. The concept can also be applied to other user groups. It also raises the issue of how the registered operators will be managed and licensed? Who is responsible for the funding of Governmental research in general and the research into saving a threatened species in particular? How far will this “user pays” system go?

This proposal, and the grey nurse IVF research program, are based on the premise that the east coast grey nurse shark population is only about 500 and is in a state of decline. Many question the accuracy of the science used in determining the grey nurse population. Many believe numbers to be far greater than stated by Fisheries. This may be the case, but it is Fisheries science and figures on which decisions are based. The one thing the Fisheries press release does admit, when referring to divers is that “there may be a negative impact on the shark population unless control measures are put in place”. AAG has always maintained that if the grey nurse is in need of extreme protection then there should be no access to the critical habitat sites by all user groups except for scientific research. But then it seems, DPI Fisheries wouldn’t have a source of funds for further grey nurse shark research!



Amazing what you can pull out of 50 metres of water, isn't it? Photo: Craig McGill

## Letters to the Editor

**Got something to say? Mail it to Anglers Action Group, PO Box 630 Narrabeen NSW 2101, or via email [aag@spunge.org](mailto:aag@spunge.org).**

Dear Editor,

Thank you for the leading article in the May 2005 No. 40 issue of Angler’s Action. Your acknowledgement of the Australian Fresh Water Fishermens Assembly (AFWFA) resolution is very pertinent to the subject. This matter was taken further in that it was sought that RecFish acknowledge the substance of the resolution. To our knowledge it never was. Money talks louder than anything else. The NSW Council of Freshwater Anglers (NSWCFA) was also concerned about this matter in that the NSW Government’s intervention basically took control of any representation that NSW recreational anglers might wish to convey through the committee processes in advising the Federal Government. Correspondence to RecFish from the NSWCFA has not been responded to in recent times. It would appear as though RecFish has a one way communication system to those who fund the operation. The question rightly arises as to who do they now represent?

Sincerely,  
Rodney Tonkin  
Senior Vice President, AFWFA  
President, NSWCFA.

## Scapegoats in the abalone take

Recently announced was a reduction on both the commercial and recreational take of abalone for purpose of conserving stock. Both new limits came into effect on July 1, and will remain in place subject to a review by an independent taskforce later this year. To quote from Fisheries news release: "The decision to reduce both catches was based on the latest science, which indicates abalone stocks are at critical levels due to illegal poaching, the effects of the Perkinsus parasite, and natural environmental changes."

It seems that the science used may be showing bias against the recreational fisher (illegal poaching?). When combined with various press releases concerning "recreational anglers selling lobsters" or "recreational fishers caught in possession over bag limits" it gives the impression that the recreational angler is at fault.

AAG objects to calling these people recreational fishers. If offenders were selling their catch, then surely they are commercial fishers, albeit unlicensed ones. However, calling offenders commercial fishermen would upset (rightly so) other commercial fishers. These offenders are criminals, fish thieves, illegal fishers, poachers or whatever you want to call them. Saying they are recreational fishers, or commercial fishers, is a sleight against either the recreational fishing fraternity or commercial fishers.

This attitude is also reflected in the announced reduction of the recreational catch of abalone, reduced from 10 to 2. With a ban on the taking of abalone between Port Stephens and Wreck Bay and with 75% of recreational fishers living in a 150km radius of Sydney, one has to wonder at the reason why Fisheries think that recreational fishers have such an impact on the abalone stocks! Especially when illegal activities are estimated at accounting for 40% of the TAC and that most of the abalone catch comes from the south coast, as stated in the abalone TAC document: "Since 2002 the total catch of abalone has been almost entirely harvested from the area of the coast south of Jervis Bay." Another example is the figure used for the recreational abalone take obtained from the 1997 Fisheries survey that put it at 50 tonnes p.a. yet the 2001 Recreational Fishing Survey places the recreational take of abalone at 10 tonnes pa. More details of these issues are given in a post by Oliver Wady on a spearfishing web site. Oliver has given us permission to reprint it here.

NSW DPI (Fisheries) obviously consider illegal harvesting to be such a serious issue that a new, large Fisheries boat will be deployed on the NSW South Coast to target illegal fishing, particularly abalone. Then why the use of the much

larger figure of the recreational take of abalone from the 1997 survey and not the figures from the 2001 national survey? Why the constant reference to recreational fishers when referring to illegal fishing activities and why do we face such severe restrictions? It appears that recreational fishers are being used as scapegoats in both word and deed. Oliver's post follows:

"Effective as of 1/7/05 in NSW - Bag Limit for Abalone has been reduced from 10 to 2. No idea if this is also a possession limit but there it is. Commercial TAC is reduced by 37%. As usual recreational fishers are being used as scapegoats. One of the largest issues stems around illegal fishing. Fisheries are upset about some divers who go out and get their bag limit several times a day. Now correct me if I am wrong but this would make them in excess of the possession limit so therefore makes it illegal. So why make the legitimate recreational fishers bear the brunt? Also, last time I checked recreational fishers had to travel beyond Port Stephens in the north, or Sussex Inlet in the south to get abalone legally (due to the banned area). Now the majority population lives around Sydney so is it logical to say a majority of underwater harvesters are based here. How is it right then that recreational fishers are having such an impact? More interestingly, the TAC report refers to the pros receiving a 50% reduction in TAC over the past three years and proposes two options for recreationals (the TAC is only involved in setting commercial sustainable levels, not recreational levels. But as always the pro abalone divers and TAC want their two cents worth in restricting any competition from the recreational sector):

Option 1: reduce the recreational bag limit from 10 to 5 (ie in line with commercial reduction)

Option 2: Three year ban for recs then reopen to recs. In the meantime work out how to properly assess the rec take and then make an informed decision on sustainable bag limit for rec take. (essentially what they have done by suggesting a two abalone limit anyway)

The 2001 report into recreational fishing (at a cool cost of \$1mill) has been completely disregarded as it has the recreational take as 10 tonnes pa. The 1997 Fisheries survey prior to this has the recreational take at 50 tonnes pa. Of course you always assume the worse with recreational fishers and completely disregard the ban from Port Stephens to Sussex Inlet in making this determination as it could not affect the recreational take in any way, shape or form!

Illegal take/poaching (commercial and recreational) is assessed as comprising 40% of the whole TAC available, so why not target the illegal fishing activity?

It looks like the poaching/illegal take aspect will increase as more recreational people will get busted for one over the bag limit".

### ANGLERS'



NEWSLETTER OF THE ANGLERS ACTION GROUP (SYDNEY NORTHSIDE) INC

[www.sponge.org/~aag](http://www.sponge.org/~aag)

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### Become a member of the ANGLERS ACTION GROUP and contribute to the future of recreational fishing in NSW

You can contribute to a healthy recreational fishery by becoming a member, have input into AAG discussions and get informed with issues of the ANGLERS ACTION throughout the year.

Fill out this form and send a \$10.00 cheque or money order to:

**The Secretary, AAG, PO Box 630 Narrabeen NSW 2101**

(for further info contact Warwick Gibson 02 9460 6444 bus. hours)

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