

Submission  
No 972

## INQUIRY INTO RECREATIONAL FISHING

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The Director  
Select Committee on Recreational Fishing  
Legislative Council  
Parliament House  
Macquarie Street  
Sydney  
NSW 2000

19 March 2010

Dear Director,

**Select Committee on Recreational Fishing**

The Australian Marine Conservation Society (AMCS) appreciates the opportunity to provide a submission to the inquiry conducted by the NSW Legislative Council's Select Committee on Recreational Fishing. The following submission is made on behalf of AMCS as authorised by myself in capacity as the Director of the organisation.

AMCS believes there is much common ground between recreational fishing and conservation interests – the desire for healthy, resilient marine ecosystems that support thriving fish populations and ecologically sustainable fisheries management being shared objectives. We encourage the Select Committee to make recommendations that advance these objectives as a priority.

AMCS notes the terms of reference for the inquiry and addresses two of the key issues contained within them in this submission below.

**1. Marine Protected Areas**

The scientific basis for the need to establish and maintain permanent marine protected areas (MPAs), particularly no-take areas, is well evidenced in the published literature and well supported by the

scientific community. The need to establish a Comprehensive, Adequate and Representative network of MPAs across State/Territory and Commonwealth waters in Australia has, for example, led to a consensus statement from the Australian Marine Sciences Association, an organisation that includes a membership of most of the country's most respected marine scientists.<sup>1</sup>

Despite the clear and unambiguous scientific case for MPAs, there continues to be a tendency for some recreational fishing interests to dismiss or misrepresent science that shows the benefits of MPAs to biological conservation, including the conservation and rebuilding of fish stocks, biomass and diversity. This position may not only undermine marine conservation efforts, but may also undermine the best interests of recreational fisheries as MPAs, whilst created primarily for biodiversity purposes, do have benefits for commercial and recreational fisheries conservation. Misrepresenting or dismissing the science behind the benefits of MPAs also detracts from some of the otherwise environmentally beneficial work that NSW recreational fishers have undertaken through the fishing trusts.

#### Recommendations

- a) The benefits of Marine Protected Areas to biodiversity conservation, improved recreational fisheries and fisheries management should be acknowledged through this Inquiry and the science underpinning the benefits of well-designed and well-implemented networks of MPAs endorsed by the Inquiry.
- b) The recreational fishing community, led by the committees, peak bodies and fishing clubs, should be encouraged to engage constructively in the process of creating a Comprehensive Adequate and Representative network of Marine Protected Areas in NSW and beyond.

## **2. Improving the environmental performance of and achieving ecological sustainability of recreational fishing in NSW**

### **2.1 Code of Practice**

The 2008 global 'Code of Practice for Recreational Fisheries' (CoP)<sup>2</sup> promotes best practice and sustainability in recreational fisheries, complementing the FAO Code of Conduct for Responsible

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<sup>1</sup> AMSA 2008. Position paper on marine protected areas. Australian Marine Sciences Association. December 2008.

<sup>2</sup> European Inland Fisheries Advisory Commission, 2008. *EIFAC Code of Practice for Recreational Fisheries*. Rome: EIFAC. Occasional Paper No. 42, 45 pp.

Fisheries. Several of the CoP's Articles (11.2, 13.7, 5.6) refer to the importance of an ecosystem approach and a precautionary approach to management, the importance of objectively communicating science, and the importance of environmental stewardship. There is little evidence at present of these Articles being followed in the management of NSW recreational fishing.

### Recommendations

- c) The Code of Practice for Recreational Fisheries should be formally adopted and implemented by the NSW recreational fishery.

## **2.2 Assessing the environmental impact of recreational fisheries**

There is increasing evidence that recreational fishing, including spearfishing, can have significant impacts on aquatic ecosystems<sup>3 4 5</sup>, making it vital that recreational fisheries are considered in overall fisheries management strategies. Recreational fishing cannot be considered in isolation from other forms of fishing and must be viewed and managed as part of the wider whole.

Quantifying total catch and effort is a major challenge for recreational fisheries managers in NSW. Without this information, demonstrating the sustainability of recreational fishing is problematic. Furthermore, this lack of information complicates the management of commercial fisheries, where recreational take needs to be taken into account to ensure sustainability.

Considering the significant current information gaps, an Environmental Impact Statement (EIS), in line with those already produced by the commercial fisheries, needs to be undertaken as a matter of urgency. A great deal of preliminary work to prepare an EIS has already been done by Industry and Investment (I&I) NSW. Proceeding with the EIS as was originally planned but subsequently put on hold by the NSW government would add to the credibility of the recreational fishery as a sector that takes its environmental

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<sup>3</sup> Cooke, S.J. & Cowx, I.G., 2006. Contrasting recreational and commercial fishing: searching for common issues to promote unified conservation of fisheries resources and aquatic environments. *Biological Conservation*, 128: 93-108.

<sup>4</sup> Lewin, W.-C., Arlinghaus, R. & Mehner, T., 2006. Documented and potential biological impacts of recreational angling: insights for conservation and management. *Reviews in Fisheries Science*, 14: 305-367.

<sup>5</sup> Nevill, J., 2004. Impacts of spearfishing. Published at <http://www.ids.org.au/~cnevill/marineSpearfishing.doc>

impacts seriously and provide the platform for improving the management and environmental performance of this sector.

The recreational targeting of sharks is of significant concern. A growing body of scientific research highlights the inherent vulnerability to fishing and heightened risk of extinction of sharks when compared to other fish species<sup>6</sup>. Quantifying the current recreational take of sharks in NSW is fraught with problems due to the huge range of uncertainty in catches. In addition, the most recent catch data are from 2003<sup>7</sup>. Australia-wide, recreational fishers catch around 1.2 million sharks each year, retaining around 200,000<sup>8</sup>. This significant catch and take needs to be viewed in light of the fact the IUCN Red List of threatened species lists nearly all shark species targeted in NSW as 'threatened' or 'near threatened' globally, including in the Australian region<sup>9</sup>. Mandatory reporting of recreational shark catches would help managers determine the scale of the threat recreational fisheries pose to shark populations. However, the long-term conservation of sharks will require measures to educate and encourage recreational and commercial fishers not to target sharks and other internationally threatened species and to carefully release alive any that are incidentally captured.

### Recommendations

With the significant gaps in information and knowledge evident in NSW recreational fisheries, we suggest the following steps be taken.

- d) The recreational fishery should undergo an EIS without delay, with a Governmental commitment to implement the findings and recommendations of that EIS.

An EIS will highlight a range of issues that need to be addressed. Irrespective of its findings, the following need to be addressed by fisheries managers, with clear strategies set to implement improvements:

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<sup>6</sup> Field, I.C., Meekan, M.G., Buckworth, R.C. & Bradshaw, C.J.A., 2009. Susceptibility of sharks, rays and chimaeras to global extinction. *Advances in Marine Biology*, 56: 275-363.

<sup>7</sup> The estimated annual recreational whaler shark take is 40-160 tonnes. See Status of Fisheries resources 2006/07: <http://www.dpi.nsw.gov.au/research/areas/systems-research/wild-fisheries/outputs/2008/972>

<sup>8</sup> McLoughlin, K. & Eliason, G., 2008. Review of information on cryptic mortality and the survival of sharks and rays released by recreational fishers. Bureau of Rural Sciences, Canberra.

<sup>9</sup> <http://www.iucnredlist.org/>

- e) A reassessment of minimum size limits to ensure that no species' minimum size limit is set below the size at maturity. Mulloway is an example where the minimum size limit is too small and too many juvenile fish are legally taken. Mulloway is assessed as 'overfished' in NSW.
- f) An investigation into the introduction of further maximum size limits for some species in order to leave more large breeding fish in the water.
- g) An investigation of the effects of selectively removing larger fish as can be the case in recreational angling and spearfishing.
- h) An investigation of further cryptic mortality rates of popular recreational species and improvement in the dissemination of information about the research to fishers.
- i) Improvement in education activities about the negative effects of leaving waste behind when fishing. Clean ups should be arranged at popular fishing spots, including underwater where lost tackle and line can persist for years.
- j) Introduction of mandatory reporting of all sharks caught by recreational fishers.
- k) Assessment of the sustainability of targeted shark fishing by recreational fishers with commitment to introduce measures shown to be needed including phase out of targeted fishing of species not able to demonstrate ecological sustainability.

## **Conclusions**

Sustainably managed fisheries are a vital component of a healthy marine environment. The Australian Marine Conservation Society makes this submission in the interests of improving the sustainable management of the recreational fishery in NSW. Thriving recreational fisheries are built on a healthy environment and recreational fisheries in the future will require that we successfully recover and protect marine ecosystems.

It is important that recreational fisheries management, and Government, peak bodies and industry leaders' policies be based on science. In practice, not all information may be available and in such cases, efforts should be made to fill those gaps in knowledge while adopting a precautionary approach to ensure the

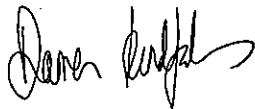
environment is protected whilst using marine resources. In recent times, this approach has not always been evident, particularly with regards to attitudes towards the establishment of Marine Protected Areas.

Some environmental impact is inevitable in almost all that we do, and recreational fishing, by its very nature, does have a direct impact on the marine environment. However, with the right approach, that impact can be managed and ecologically sustainable use achieved. This is, in fact, in the best long-term interests of recreational fishing and the environment.

AMCS looks forward to continued engagement as a stakeholder in recreational fishing, representing people concerned that Australia's fisheries, and the marine environment as a whole, are managed sustainably for the benefit of current and future generations.

Should you have any questions or comments on the issues we have raised here, please do not hesitate to contact me on

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Darren Kindleysides', written in a cursive style.

Darren Kindleysides  
Director, Australian Marine Conservation Society