

Submission
No 986

INQUIRY INTO RECREATIONAL FISHING

Organisation: ECOfishers NSW

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“Conservation through sustainable use. Making people part of the solution”

“The voice of NSW recreational fishers”

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10th March 2010.

The Director
Select Committee on Recreational Fishing.
Parliament House
Macquarie St
Sydney 2000.

Attention: Rachel Callinan.

ECOfishers outline, of our submission to the Legislative Council’s, “Select Committee on Recreational Fishing.”

The widespread dissatisfaction and criticism of NSW Fisheries management of recreational fishing, centres around the frustration and knowledge that things could be done better, yet they aren’t!

Regulatory, policy & decision making processes:

A. Some regulatory, policy and decision-making processes, are convoluted, long winded, cumbersome and enmeshed in enormous amounts of bureaucratic red tape. Some are not. Consider these case studies. Mulloway case study.

Case study 1.

In 2008, NSW Fisheries scientists determined that Mulloway stocks were “recruitment overfished.” Spawning stocks are estimated to be as low as 20% to 30%, of the biomass. This is a critical level for the species, and is of grave concern to all ECOfishers. Immediately, we invoked our own management strategies for all ECOfishers.



After extensive consultation, ECOfishers faxed Minister Macdonald about the gravity of this situation on 29.9.08 and called upon him to implement strategies we outlined immediately, which would lead to the instant recovery of the parlous state of Mulloway stocks. These strategies included the legal length of Mulloway being increased immediately, from the current 45 cm to 70 cm. (Female Mulloway don't attain sexual maturity until 69 to 70 cm length!)

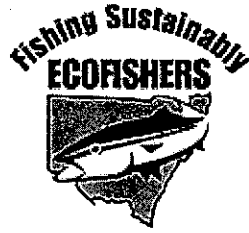
Secondly, we sought the bag limit be reduced from the current five (5) Mulloway per day, per fisher, to two (2) of no less than 70 cm, and that bye-catch exclusion devices, (such as the Nordmore Grid) be mandatory for all commercial prawn trawl fishers.

Five months later, on February 11th 2009, we received a reply from a recreational fisheries manager saying Fisheries was, "currently developing a consolidated process," and the need for "consultation undertaken with appropriate advisory groups."

Since September 2008, nothing has changed. ECOfishers has heard nothing. The scientists have heard nothing. And the Mulloway resource continues to go down the gurgler, while the minister sits on his hands. Meanwhile, tens of thousands of ECOfishers, right across the state, continue to fish Mulloway at two (2) fish per day and at 70 cm (at least) legal length!

Case study 2:

ECOfishers is represented on a Fisheries Committee which determines whether or not, an estuary should be closed to all forms of fishing, after the devastating impacts of NSW floods. This Committee's recommendations are conveyed to the Minister. Within days, if not hours of that recommendation being received, the necessary closures are invoked. This procedure is to enable fish stocks to recover sufficiently after the impacts of a flood, before being harvested. That invocation is swift, efficient and regulatory.



Case study 3.

Some years ago as a result of the implementation of a Recreational Fishing Haven, on the lower reaches of the Richmond River, commercial fishers lost their historical mullet shot, at a tiny estuarine bay called Shaw's Bay. Not only did this short sighted initiative put the viability of the local fishermen's co-op at risk, it meant that local recreational fishers and seafood consumers now had to purchase sea mullet harvested from Queensland and trucked to Ballina! Meanwhile, hundreds of tonnes of sea mullet were swimming past the Richmond River Fishermen's Co-op, on a daily basis, and local harvesters and consumers, were denied access to this fresh, cheap, local seafood resource.

On behalf of recreational fishers, commercial fishers and local fresh seafood consumers, ECOfishers took issue with this ridiculous situation, whereby locals were forced to buy sea mullet harvested interstate and trucked south to Ballina. We were successful in having the traditional and historical access to the commercial mullet shot at Shaw's Bay, re-opened within the Recreational Fishing Haven. And it is now enshrined in legislation.

Therefore, recreational fishers fail to understand why some critical issues are expediently addressed and resolved and some are not. Does the relevant issue determine the process? Or does the likely outcome determine the process, as it appears to be with the parlous state of Mulloway stocks?

B) Current NSW regulatory, policy and decision making processes, with reference to the "Schedule of Legal Lengths and Bag Limits," revolves around a policy of one size fits all. That is, the same legal lengths and bag limits apply throughout the state. While this may be convenient for NSW Fisheries, it doesn't acknowledge that the NSW coast comprises sub tropical and temperate species, habitats and ecosystems. Coffs Harbour is recognised as the differential point



between the subtropical and temperate ranges. ECOfishers proposes some separate legal lengths and bag limits for the subtropical areas as distinct from the temperate areas. For example, Red Rock Cod are in plague proportions in subtropical waters. In fact they are the dominant species on some offshore reefs. They are not a highly sought after or prized species, despite the fact their table qualities are quite high. The current bag limit on Red Rock Cod is 5 fish per person per day. While that may be adequate for temperate waters of the state, even a bag limit of 10 Red Rock Cod per day in subtropical waters would have no impact whatsoever on their stocks. In fact it would have two distinct benefits. Firstly, it would relieve the pressure on some other species, (eg Mulloway and Snapper), and secondly, it would provide more habitat and fewer competitors, for other reef dwelling species. Why not rule a line through say Coffs Harbour, and have sub tropical and temperate separate bag limits and legal lengths?

ECOfishers had to make sustained representations for years, to even get Mangrove Jack and Pearl Perch on the Schedule. With regards to Mangrove Jack, we were initially told in the 1980's that they didn't occur on the North Coast, they were a Queensland species! This was despite the fact NSW Fisheries records showed that Mangrove Jack were recorded from Narrabeen Lagoon! Pearl Perch were a different kettle of fish. We were told Fisheries didn't know enough about them to list them on the Schedule! Yet for years there was no legal length and no bag limit, on this delectable and prized, deep water species.

ECOFISHERS SOLUTION:

The process for the creation of Marine Protected Areas and Marine Parks.

Marine Protected Areas, such as Grey Nurse shark Critical Habitat Zones and Aquatic Reserves, when designed and developed by NSW Fisheries, in close consultation with local recreational fishing communities, work efficiently and effectively because fishers support



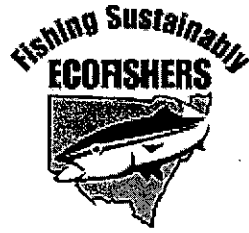
and have some degree of ownership of those areas. And they are managed effectively and efficiently by NSW Fisheries, which has the expertise, the science, the staff, the infrastructure, the clientele, the legislation and the support of the fishing community – unlike NSW government marine parks!

Government marine parks are total environmental duds. They are imposed upon reluctant coastal communities and needlessly exclude family recreational fishing. Even worse, they fail to address the real and severe impacts, upon our marine biodiversity and associated ecosystems. Impacts such as pollution (in all its forms) some agricultural practices and substances, inappropriate coastal development and introduced pests and diseases.

The government's mandatory marine park consultative process is a total sham. For example, 6,325 individual local submissions were received concerning the Cape Byron Political Park. 6000 utterly opposed their draft zoning plan. A mere 325 supported it. The government ruled in favour of the minority and added more so called sanctuary zone to their park. Cape Byron Political Park has the least biodiversity of any NSW government marine park, yet the greatest level of sanctuary zone (27.5%) – even more than the world heritage listed Lord Howe Island park! Non compliance is rife in government marine parks, because the community has no sense of ownership of these environmental duds.

There are a host of other short comings with government marine parks, that prevent their being effective or efficient, or even fair dinkum conservation measures. And I am quite happy to expand on these, at a later date. These include, among others;

- 1) In SIMP, cunjevoi can't be taken from any government Habitat Protection Zone. This conflicts with the regulations under the Fisheries Management Act
- 2) Inconsistencies between state marine parks and Commonwealth marine reserves, relating to fishing methods and alignment of government zones.

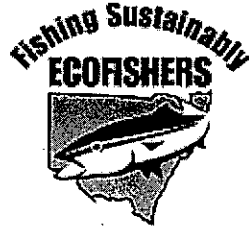


- 3) Access to beaches by fishers in 4WD vehicles. Supported by NSW Fisheries and Local Government authorities. Needlessly prohibited by NPWS and MPA, etc.
- 4) Public boat ramps surrounded by government sanctuary zones.
- 5) Ex- government ministers Debus and Macdonald lied, to coastal communities and NSW recreational fishers. So too did NPWS and MPA staff. Which raises the question, "Just who is managing NSW fisheries? Is it DECC or NSW Department of Fisheries?"
- 6) Poorly designed, aligned and identified, marine park zone boundaries. The Opposition's policy of "No sign – No fine," has struck a welcoming chord with NSW recreational fishers.

ECOFISHERS SOLUTION:

Effectiveness & efficiency of current representational system of trusts & advisory committees etc.

Membership of the current salt water, fresh water and ACoRf advisory committees, is determined by the minister. Members are ministerial appointees. Therefore it is not representative, proportional, or democratic! And there is no accountability to recreational fishers. (eg. South coast conservation officers position and delegate voted contrary to what NSW recreational fishers required!) This is the main reason these committees have little credibility among NSW recreational fishers at large. "They don't represent recreational fishers. They represent the minister," is a main criticism. Therefore they cannot effectively and efficiently represent NSW fishers. ACoRF is city centric, (Newcastle, Sydney and Wollongong) and out of touch. It's perennially appointed chairman doesn't enjoy the support of NSW recreational fishers nor fishing clubs and organizations. He is merely seen as a puppet of the minister, and government policy. These three government organizations, and the Fisheries minister, let NSW fishing families down appallingly, during the imposition of government marine parks, upon reluctant coastal communities. And fishers have not forgotten it. ECOfishers has an alternative policy and proposal,



which has been endorsed and supported by, NSW recreational fishers. It is truly representative, democratic and proportional.

ECOFISHERS SOLUTION:

C) THE VALUE OF RECREATIONAL FISHERIES TO THE ECONOMY OF NSW.

During 2000 – 2001a National Survey was conducted of recreational fishing. The NSW component of that national survey quotes an estimated 998,501 recreational fishers in NSW. They spent more than \$550 million on fishing related items, during the survey year. (This is not an estimate of the “value” of recreational fishing to the community. This roughly equates to about \$550 per fisher per annum, as an average. Dedicated non-indigenous subsistence fishers like myself, would expend up to four (4) times that amount in any one year.

Ernst & Young recently compiled some research and statistics, of the socio-economic status of recreational fishers, and their contributions to local economies in the Port Stephens and Narooma regional areas. The figures from this comprehensive study are quite significant, if not alarming! I am able to make those relevant details available to the Inquiry, if so desired.

GAPS IN EXISTING RECREATIONAL FISHERY PROGRAMS, INCLUDING THE NUMBER AND LOCATION OF RECREATIONAL FISHING HAVENS; AND ECOLOGICALLY SUSTAINABLE DEVELOPMENT ISSUES RELATED TO IMPROVING RECREATIONAL FISHERIES:

\$20 million, of our recreational fishing licence fee monies was expended by various ministerial appointees, sitting on ministerial advisory boards, to buy out some commercial fishing effort and create Recreational Fishing Havens – thirty (30) in all. This gave recreational fishers exclusive use of that section of the estuary. The underlying philosophy was that if commercial fishers were excluded from that



section of the estuary – recreational catches would improve. Sadly yet predictably, that hasn't been the case at all. Recreational catches in Recreational Fishing Havens are roughly the same as before. The only two RFH's that have produced enhanced catches are those two at Lake Macquarie and St. George Basin (Sth Coast) where the habitat has been enhanced by artificial means – reef balls.

THE PROBLEM:

Personally, I've been a keen student of fisheries management for over 40 years and have represented recreational fishers during that time.

What has happened during that period of time, from my keen observations, is that our fishery resource has continued to decline despite current management efforts. And that concerns me greatly. Why? Because of best efforts of governments and "experts," our fishery has not shown or delivered, the promised bounce – back! We have endured legal lengths and bag limits, both of which we were promised would rejuvenate our ailing fishery. They haven't!

We were promised our rec fishing licence fees would make funds available to rejuvenate the fishery. It hasn't! We've got a plethora of fish cleaning facilities all over the coast. But what's the use if there are fewer and fewer fish to catch? Funds are made available to special interest groups to develop pamphlets, videos, DVDs, CDs, etc., telling us how to fish safely, responsibly, sustainably etc, etc. And some so called "peak bodies," use our funds to promote themselves and their city based groups.

What's the use of it all if there are fewer fish to catch?

And now we have the current philosophy and ideology of the government's Marine Park Authority, which is to needlessly lock-up our favourite fishing areas, throw the key away and exclude family recreational fishers. That achieves nothing either for the resource.



Now we have the "Threatened Species List," with special programs for managing some species – the current Black Cod Draft Recovery Plan, based upon flimsy science, anecdotal evidence and a serious lack of biological knowledge, is just one of current and future initiatives. None of these strategies either, seem to be working to any great extent.

When have we had a reduction in legal lengths? When have we had an increase in bag limits, as opposed to a reduction? Never! Yet these strategies were designed to address and arrest all of these problems.

ECOfishers have been considering these issues for years and nothing has improved with the fisheries biomass or regulations. What changes frequently, are the restrictions placed upon recreational fishing families, none of which appear to be solving the problems!

Clearly, we need another approach – another management strategy and regime, that focuses on restoring, remediating and enhancing vital fish habitat.

So, here is what ECOfishers is proposing for your serious consideration and discussion.

ECOfishers have come to the conclusion that we should now be focussing on managing the habitat. Currently, management is based upon managing the fishery resource and the fishers. And it hasn't delivered the promised benefits.

All our key target species are estuarine dependent. What they depend upon are healthy wetlands, healthy water quality, healthy mangroves and riparian vegetation, healthy seagrass beds and uninhibited fish passage between these critical areas. **SIMPLY IT MEANS, MORE HABITAT – MORE FISH!** And the habitat can be natural or artificial.



Unfortunately, through drainage, floodgates, exposure of acid sulphate soils, and inappropriate coastal development, we have lost more than 80% of our coastal fish habitats, 90% of our riparian zones are degraded, water quality is poor, and there are literally thousands of barriers to fish passage.

So in ECOfishers view, we need a fresh approach to management of our fisheries. We need a major focus on habitat restoration and enhancement. **REBUILDING ECOSYSTEMS OUGHT NOW TAKE PRIORITY OVER "SUSTAINABILITY," AS THE MAJOR GOAL OF FISHERIES MANAGEMENT.** For example, just one hectare of mangroves can produce more than \$14,000 worth of commercially marketable fish per year! (On the northern rivers, 306 ha of mangroves were lost when the Tuckean Swamp, on the Richmond River, was floodgated. Just imagine what the fishing on the Richmond would be like if the Tuckean Swamp was functioning as a viable wetland!

Hence, we are firmly of the view that we, as ECOfishers, need to add this strategy to our raft of fisheries management tools. It is a new, fresh and realistic approach, to fisheries management. And it is sorely needed. More habitat – more fish!

NSW Fisheries have done a lot (with limited opportunities and funding) to improve fish habitat. The work has been really minor, in relation to the need and opportunities. So ECOfishers believe it is now high time we really got serious about remediating, restoring habitat and rebuilding ecosystems.

So why should we?

The key species targeted by recreational fishers in coastal NSW are Bream, Luderick, Whiting, Flathead, Mulloway, Tailor and Snapper. The key target commercial species are school prawns, king prawns and Sea mullet. All these species, and many more, share the coastal rivers, wetlands creeks and estuaries for the important larvae to adult



growth part, of their life history. A growing body of evidence says quite simply, that the more healthy habitat in our estuaries and rivers, the more fish will be produced. Unfortunately we have lost to drainage, floodgates acid sulfate soils and development over 80% of our coastal fish habitats; 90% of our riparian zones are degraded, water quality is poor and there are thousands of barriers to fish passage

In inland areas, fish production and fish habitat areas are even more intimately linked with snags, riparian vegetation, water quality, water flow and fish passage as key issues

ECOfishers firmly believes the future should be about managing the resource - fish and fish habitat not the fishers - a clear task for the future should be *"Restoring habitat to produce more fish, – rebuilding ecosystems."*

The ECOfishers program would have four major focus areas:-

- 1) Fish passage restoration (continuing on from Bringing Back the Fish.)
- 2) Riparian re-vegetation
- 3) Wetland Rehabilitation
- 4) Water Quality improvement

What would it look like?

- a) It would need to be of sufficient scale to make a difference - \$20 - 40 million over 4 years.
- b) It could seek matching Federal funds from the Water for our Future Program.
- c) It could and should, get local government and community matching contributions.
- d) It would see the money spent on, ground works.
- e) The bulk of the works would be in regional areas.
- f) It could have alignment with recreational fishers through the existing (yet under funded) Habitat Action Program



In terms of managing aquatic habitat into the future, it should be controlled through one group - aquatic resource management within one agency - 1&1 (Industry & Investment.) ie, NSW Fisheries. Why?

- NSW Fisheries has the legislation (Fisheries Management Act Amended etc) to back-up our proposal.
- Fisheries have the clients (*recreational and commercial fishers* and oyster farmers) who want this to succeed.
- Fisheries already have the experience.
- Fisheries also have the research support.

This would mean the staff whose responsibility is aquatic ecosystems in the Office of DECC & Water, moving to Fisheries, and with their budget! Staff working in CMA's on aquatic habitats work, would continue their role, pending a review on possible future management arrangements, to be undertaken after the new group is up and running.

It is easy for ECOfishers to justify this proposal, because we are looking at the big picture – the picture for the future!

And with ECOfishers proposal for marine parks to become part of the Fisheries portfolio, we are going to have a much larger, much better funded, and much more important Fisheries Dept, than the current model, which is really (and sadly,) the Cinderella sister of Agriculture.

SOME ECOFISHER FACTS, ABOUT FISH IN NSW

PRODUCTION

1 ha of mangroves can produce over \$14,000 worth of commercially marketable fish per year.

(eg 306 ha of mangrove was lost when Tuckean Swamp (Richmond R) was floodgated)



100 ha of coastal wetlands can produce 1 tonne of prawns per year. (Drainage and floodgates have affected over 80% of all coastal wetlands originally extent greater than 60000ha)

FISH PASSAGE

Golden perch have a recorded migration of up to 2,300km - that's like swimming from Sydney to New Zealand!

60,000 golden perch moved along the Darling river past Menindee during a flood

There are more than 10000 man-made barriers to fish passage across NSW waterways.

A fall of only 10cm is enough to create a barrier that will block fish passage.

As the Murray Fishways program nears completion it is anticipated that at least one of the new fishways will pass 1 million fish in one year.

RIPARIAN ZONE

Insects falling into water out of overhanging vegetation can provide over 40% of native fishes' food intake.

The abundance of fish adjacent to well vegetated riverbanks in the Hawkesbury system was up to 13 times higher compared with unvegetated banks.

97% of total river length in NSW has been modified in some way.

WATER QUALITY

From the Journal of Thomas Mitchell, 1835, Darling River at Bourke ... *the water being beautifully transparent, the bottom was visible at great depths, showing large fishes in shoals, floating like birds in mid-air.*



Over 84% of the assessed length of NSW waterways had elevated loads of sediments, and 95% had elevated levels of total phosphorous.

Many major estuaries in NSW have lost as much as 85% of their seagrass beds in the past 30-40 years due to poor water quality.

SNAGS

"I sent a man to the Northward, who found the country intersected by deep creeks, full of decaying timber ... " Sturt 1838 expedition.

In the 1980s, 24 000 snags were removed from the Murray River between the Hume Dam at Albury and Yarrawonga alone - a distance of only 200km.

Murray Cod are known to undertake migrations of up to 100km and return to the same snag each year.

I am prepared to share and discuss this information at a public hearing. We wish the committee well in their considerations and determinations.

Yours faithfully.

Ken Thurlow
CEO ECOfishers NSW.

ECOfishers more habitat – more fish! ECOfishers – rebuilding ecosystems.