

Submission  
No 1003

## INQUIRY INTO RECREATIONAL FISHING

**Organisation:** Port Stephens Ecofishers  
**Name:** Mr Ted Mackay  
**Position:** President  
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## SUBMISSION BY PORT STEPHENS ECOFISHERS INC.

### LEGISLATIVE COUNCIL SELECT COMMITTEE ON RECREATIONAL FISHING

#### INQUIRY INTO RECREATIONAL FISHING 2010

#### INTRODUCTION

Port Stephens Ecofishers Inc. was started in 2006, during the "public consultation" phase of the zoning plan implementation for the Port Stephens-Great Lakes Marine Park. A group of concerned local anglers got together, with assistance from Ecofishers Inc in an attempt to get some representation for our fishers in a process which was seemingly out of control.

Why Ecofishers? We believed that other rec fishing organisations were not truly representative and their silence on our marine park issues was seen as support for same. Our only other representational prospects through ACORF were thwarted by our local rep being a full-on marine parks supporter. Ecofishers support for conservation through sustainable use was seen as the best way forward.

Port Stephens Ecofishers now operates with just over 100 members with support from local fishing clubs and Ecofishers Inc. We are all anglers, not budding politicians and the organisation does not have any political alliances.

We have attempted to address your terms of reference by relating specific local experiences of members.

**(a) The current suite of existing regulatory, policy, and decision-making processes in relation to the management of recreational fisheries in New South Wales, including the process for the creation of Marine Protected Areas and Marine Parks and the efficacy of existing Marine Protected Areas and Marine Parks.**

Our main concern involves the influence of politics in all of these processes, specifically the ability of people who think they might know prevailing over people who actually might know. As we live in a democracy, this will always be an issue, however the more knowledge that is available the more chance we have that the decision-makers might know.

In regard to the PS-GL Marine Park, the whole process appears to us to lack any objectives for recreational fishing. It certainly lacks ongoing review processes as, to our knowledge, no Port Stephens recreational fishers have been involved in any projects which may lead to meaningful information for the statutory review of the zoning plan. The total lack of knowledge will lead to the certainty of review decisions being purely political.

Processes used in consultation phase for Port Stephens Great Lakes Marine Park (PSGLMP) zoning plan are no different.

I was personally involved in the rec fishing public consultation meetings during the zoning plan development. I was critical at the time, and still am at the lack of any facilitation processes evident at these meetings. Knowing that getting results out of a room full of rec fishers would be

difficult, I was expecting expert facilitators with a well planned and organised agenda. I was amazed to find only basic planning, no facilitation, plenty of disorganised input and consequently no chance of any outcomes. Unfortunately, this part of the process was only there to comply with the Act and was never to obtain input from or arrive at positive outcomes for rec fishers.

The following local issues arose through the lack of meaningful outcomes from the consultation process:

The ongoing problems with indistinguishable sanctuary boundaries are a direct result of the failure of processes in the consultation phase. The Little Beach Sanctuary Zone is a prime example where a marine sanctuary had existed and had been accepted by the community since the early 1980's, with some rec fishing allowed from the beach and jetties. The area is now the subject of regular politically adverse media reports about unsuspecting citizens, including children complaining of fines and gear confiscations whilst fishing in poorly marked no-take zones.

During zoning plan development, several changes were made to the boundaries within this zone which had started the process with a workable and fully surveyed marine reserve. At the Draft Zoning Plan stage the whole area was a Sanctuary Zone. I recall asking a senior MPA official the reason for not allowing the previously allowed beach and jetty fishing and was told that people might want to swim there and they don't want to be hit in the head with a pilchard. When it was realised that the disabled jetty, including its disabled fishing platform in this area had just had a \$250,000 upgrade with NSW Govt, Council and significant community funding, several changes occurred which allowed the restricted fishing but forgot about the original marine reserve, and ended in what we have now. Boundaries at the Eastern end and Western end of the "fishing" zone, and the Western end of the whole reserve were all moved with no apparent environmental logic. In fact, in all three cases the new no-take areas included each of the three stormwater outfalls in this area. One wonders at the need to preserve the marine biodiversity of stormwater outfalls. The debacle is highlighted by the fact that the no-take area adjacent the disabled fishing platform starts about one metre from the western corner of the platform. Those involved in the process obviously consider that disabled people don't cast very far! The western boundaries are either not signposted or are incorrectly signposted due to difficulties created by poor boundary selection, all in an area that was previously surveyed as a marine reserve.

I have included this detail to emphasise that had public consultation been a priority instead of a joke, and local fishing organisations been represented, none of this would have happened.

I know that the Shoal Bay Fishing Club suggested in its formal zoning plan submission, that the existing survey should be utilised with minor changes to assist in boundary marking and identification. In the MPA's key point summary of that club's submission, there was no mention of this issue.

During this whole process much time was devoted by many differing organisations, trying to influence the size of no-take areas and the overall % of the park taken by sanctuaries. The approaches ranged from 50% from some green groups to Nil from some rec fishing organisations, including Ecofishers. We found towards the end of the zoning plan process that there was a predetermined figure of 20% of each type of ecosystem to be locked up. Had this

been a directive from the start, significantly more effort may have gone into fine tuning the outcome. Unfortunately the Authority had already created MP's in other places with no-take zones ranging from 12% to 30% and had no science to back up which, if any was the best approach.

In regard to the efficacy of our marine park, how will we ever know? There are no objectives and no ongoing review processes to measure achievements especially where rec fishing is concerned. The ability of our marine park in its current form to offer improved recreational fishing is extremely doubtful and no attempt is being made to assess the effects.

We recommend the establishment of objectives for the improvement of recreational fishing in the PS-GL Marine Park and the development of strategies to achieve those objectives.

**The effectiveness and efficiency of the current representational system of trusts and advisory committees that advise governments and statutory authorities.**

We question the word "representational." The interests of members of Port Stephens Ecofishers and all local fishing clubs are not represented by anyone on either the marine park or recreational fishing advisory committee or the saltwater trust.

At one stage we had a local pro-am committee which was set up at the request of NSW Fisheries and chaired by a local member of both ACORF and the Marine Park Advisory Committee leading up to the last NSW State elections. This was welcomed by many as a positive step in getting some representation into the Committee processes. Unfortunately, our worst fears were realised when the forum became an outlet for looming unpopular decisions to be leaked rather than a means of harnessing the skills and knowledge of the highly experienced people involved. The result from the total lack of any outcomes from the process is now clear. The last meeting has faded into distant memory and it appears that the forum no longer exists.

Similarly, any departmental effort to ensure that current advisory committees are representative of the rec fishing community, appear to have gone by the wayside. These committees now appear to be forums where the select few, representing special interest groups, get to attempt to influence the management of rec fishing. This is evidenced by our local ACORF member who appears to make decisions after consultation with himself and has been involved in attempts to place restrictions on local rec fishers that do not apply to the rest of the State. This included serious attempts to curtail important local fishing tournaments. There now appears to be a local agenda, filtering into these committees, to stop the weighing of game fish, and no doubt curtail another important local tournament, even though the species are not of fisheries management concern. In all cases, the justification given is community concern. In other words, the concern of special interest groups who know nothing about fishing.

It seems that rec fishers' lack of confidence in the committee situation means that the people with the necessary knowledge and skills to contribute are no longer likely to volunteer.

Having focussed on several negatives, there are, no doubt many positives that have emanated from the committee processes. The problem is that we don't know what they are. The only feedback we get is the very brief ACORF meeting minutes published several months after the event on the Fisheries website. We get no feedback from the Marine Park Advisory Committee.

This indicates a communication problem which can only be overcome by more representative processes.

The establishment of local committees which are more representative of rec fishers would go a long way to addressing some of these issues.

Maybe a review of ACORF recommendations, subsequent actions, and the outcome of those actions is necessary? Some evidence of remedial action where outcomes were not achieved might add some credibility. We cannot continue with a barrage of restrictive suggestions given credibility by these committees. The result is the continuing stream of dubious and unexplained restrictions which are sometimes extended but never relaxed, and are certainly never properly reviewed. There is also the ongoing underlying threat that the committee is only interested in ever increasing restrictions and access for rec fishing.

The idea of having committees full of special interest groups that keep firing shots at will until one hits the target, is not the answer.

Should local committees see problems with the communication or representative processes they should feel empowered in some way to make changes. We should add that re-kindling the interest of rec fishers to participate in any NSW Govt processes will not be easy.

In regard to the PS-GL Marine Park Advisory Committee, I note that there are 14 members, two of which are currently noted as rec fishers. Of these, one was selected on an ability to represent the interests of the Govt not recreational fishers and the other is not known to anyone that we have spoken to.

There are two reps noted as Marine Conservation, neither of whom have any appropriate background or qualifications to assist this committee. It is a sore point that there is a representative from a Koala Preservation Society but no-one from a fishing club even though highly credentialed volunteers have made themselves available.

This is inadequate representation for the people who have borne the brunt of restrictive changes and continue to suffer the consequences.

It is now clear by the lack of any positive input by the marine park authority towards rec fishing that the representative aspect of this committee process has totally failed recreational fishers. One can only deduce that our "reps" are happy to see no research nor any efforts to assess and improve rec fishing, just a growing list of disgruntled people being fined for going fishing.

Our feeling is that if this committee cannot properly represent the people most affected, and also includes people who have no relevant skills, then we would be better without it.

We don't have such a large problem with the make-up of the saltwater fishing Trust committee as it is now irrelevant to the rec fishers of Port Stephens.

It was originally set up as part of a process which funded commercial fishing buy-outs from rec fishing licence fees when creating Recreational Fishing Areas. The process, which I will explain later, failed the people of Port Stephens and any money that is spent here now is wasted. The

bulk is spent on wages of public servants who are more interested in fining people for fishing in marine park sanctuary zones than they are in managing recreational fishing.

There is an argument for the benefits of fish habitat restoration to rec fishing and hence an argument for trust funding. These are not just rec fishing issues, though and we doubt that the existing Trust set-up should be empowered to allocate funding from such a narrow community base.

I recall one project on a Northern NSW estuary where a consortium of a Green group and commercial fishers were allocated funds from the Recreational Fishing Saltwater Trust to rehabilitate a saltmarsh reserve. The project included erection of barriers to prevent 4WD access. In this situation there may well have been justification for the project but not for funding by rec fishers. Imagine doing the same thing at Seal Rocks or Stockton Beach.

I referred earlier to a failed process regarding Recreational Fishing Areas. This process was the community consultation process associated with the establishment of these areas. Significant time and effort by local rec fishers and rec fishing organisations went into submissions for target areas for Port Stephens, none of which had any influence on the decision-making process. At the public meeting stage we were offered the Myall Lakes as a RFA with no alternatives and a Yes or No situation, despite protesting at the time for consideration being given to the several submissions for protection of bait fishing areas from commercial purse seining and lift netting.

A recreational fishery barely exists in the Myall Lakes, and the submission to include them as a RFA did not come from rec fishers. We can only assume it was from Green groups who wanted the system closed to commercial fishing, or that it was proposed because it would certainly be rejected by rec fishers and hence the planned marine park closures in the Myall could proceed without the complication of a RFA.

Whatever the case, we have nothing from the RFA process but are still paying for it. It won't matter who is on the trust committee, the situation will remain!

In regard to our bait fishing areas, namely Tomaree Headland and Cabbage Tree Island, the Marine Park process has further failed us. Prior to marine park zoning, commercial bait gathering methods were allowed in all offshore areas. In the area adjacent Port Stephens the zoning plan now restricts it to three locations, two of which are Cabbage Tree Island and Tomaree Headland.

This situation has been relieved somewhat by the demise of the long line fishery, but the fact remains that this conflict situation has been exacerbated exponentially in all processes since the failed RFA debacle, where it was clearly documented as a problem. This is further evidence of a lack of any representative process for rec fishers.

In summary, it is obvious that the current representational system is not attempting to contribute to improved recreational fishing in this area. We recommend the establishment of a local committee with representatives from incorporated recreational fishing organisations which have the established ability to provide democratically elected representatives.

### **The value of recreational fisheries to the NSW economy**

Recreational Fishing is obviously of great financial value to the economy of NSW, especially in areas like Port Stephens. We are not experts in this field but would comment that the value, both directly and through social outcomes is not widely known, or appreciated by the community.

It is amazing to see the number of times fisheries managers use the term "community concern" to explain various restrictive policies or actions. It was used exclusively to justify attacks on fishing tournaments in our area. Unfortunately, this really means that the special interest group with the loudest voice has spoken to the right person. Wouldn't it be good to see managers making decisions which can be explained by positive community benefits based on real information?

This type of information should be an integral part of any process which proposes major changes to recreational fishing. It should certainly precede any action using community concern as its sole motive.

### **The gaps in existing recreational fishery programs, including the number and location of Recreational Fishing Havens**

We have already covered our thoughts on RFA's process to date. We believe that the continuation of recreational fishing licences should be dependant on setting up RFA's in all areas of the State and properly monitoring and reviewing the effects.

Monitoring should include the effect of transfer of commercial fishing effort to other areas. For instance, in the one and only RFA process we've had, cashed-up commercial fishers displaced from the Lake Macquarie RFA bought dormant licences and began operating in Port Stephens. We're starting to wonder what we've done to deserve all this?

Away from RFA's, we believe a major gap exists in the way readily available information on recreational fishing is being used, or not used as the case may be. Information is being routinely collected in varying forms by all people and organisations involved in any sort of organised recreational fishing. Efforts by fisheries managers to utilise this information are non-existent except in the game fishing scene which probably needs it the least, due to its well established worldwide ethics and self management strategies. Other local fishing organisations, especially those involved in large tournaments really need to be involved in programs which examine ways to organise the information they already collect and use it in processes to aid the management of their fisheries.

Unfortunately, these organisations are invariably small non-profit organisations with low budgets and only volunteers for labour. They need both help and motivation from Government.

In the past, most of us have participated in some form of rec fishing research. The impression that the results disappear into a black hole and only ever re-surfaces to "bite" us is common if not universal. There is a need to involve grass roots rec fishers in gathering of data, assessment of results, development of strategies and monitoring and review of outcomes.

One imagines that some of the current committee arrangements were originally conceived by fisheries managers to do just that but the processes have degenerated to the extent that such programs are not welcomed by many committee members.

With this in mind, local rec fishing clubs got together in March 2009 and attempted to meet with the Minister for Primary Industries. This didn't happen but Government concern was sufficient to facilitate a meeting with senior officials from NSW Fisheries and the local Marine Park Authority to attempt to resolve the negative political fallout from the attacks by committee members on our club activities. This meeting took place in June 2009 and resolved to meet again in August 2009 to explore ways that local clubs could utilise the data they collect to contribute to the management of rec fishing in the area. Briefing notes were prepared by the Shoal Bay, Fingal Bay and Nelson Bay RSL Fishing Clubs and Port Stephens Ecofishers with a view to commencing some small trial projects, with assistance from NSW Fisheries and the MPA, in order to assess the viability of embarking on more ambitious projects.

To date, that meeting set down for August 13<sup>th</sup> 2009 at Nelson Bay RSL has not happened. This is clear evidence that local interested rec fishing groups have great difficulty in providing positive input to the current regime. A more proactive approach by fisheries and MPA managers would be appropriate. One would expect to be able to approach local ACORF and MPA committee representatives to further our attempts but this is not possible in the current set-up.

There is no doubt that more emphasis should be placed on a two-way transfer of information and particularly the harnessing of information that is already being collected. Projects which will involve organisations from start to finish, or on an ongoing basis are so far non-existent. The perception that participating organisations will only contribute to their own demise can be overcome by some positive outcomes, even in situations where outcomes are achieved through restrictive changes.

We recommend that fisheries managers assess current committee structures in order to involve fishing organisations, small & large in the management of their fisheries.

#### **Ecologically sustainable development issues.**

There is growing concern amongst both rec and commercial fishers that the ongoing processes of fisheries management which predominantly target the harvester are only band aid solutions and will not, over time contribute sufficiently to long term sustainability.

Whilst over-harvesting will always be a relevant issue, it is not clear that monitoring of this alone will lead to actions or strategies to overcome individual fisheries or species which reach critical sustainability levels through the effects of environmental changes. These changes can be in the form of inappropriate development, habitat destruction, siltation, pollution and many other man made forms. It is clear, for instance that the changes put in place through marine parks and marine protected areas, do not seriously address any of these issues and barely address any targeted harvesting issues.



We recommend that funding be directed away from marine parks and marine protected areas which only address fish harvesting issues, to programs which can investigate and assist with other environmental issues which affect the sustainability of our fish and fisheries.

#### **SUMMARY OF RECOMMENDATIONS**

Establishment of objectives for the improvement of recreational fishing in the PS-GL Marine Park and the development of strategies to achieve those objectives.

The establishment of a local committee with representatives from incorporated recreational fishing organisations which have the established ability to provide democratically elected representatives.

We recommend that fisheries managers assess current committee structures in order to involve fishing organisations, small & large in the management of their fisheries.

That funding be directed away from marine parks and marine protected areas which only address fish harvesting issues, to programs which can investigate and assist with other environmental issues which affect the sustainability of our fish and fisheries.

That all elements of sustainable fishing practice be strongly considered before lockouts and marine restrictions for rec fishers are deemed necessary.

#### **CONTACT DETAILS**