

Submission
No 59

**INQUIRY INTO CLOSURE OF THE CRONULLA
FISHERIES RESEARCH CENTRE OF EXCELLENCE**

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Submission to the Legislative Council Select Committee on Cronulla Fisheries

This submission is provided to the Legislative Council Select Committee by Dr John Stewart and Dr Veronica Silberschneider. Together, we have over 36 years experience in fisheries research, assessments and management. We feel that we provide a unique example in this situation as we are a married couple with small children who work at the Cronulla Fisheries Research Centre of Excellence (CFRCoE). The original announcement by the Minister regarding the decentralisation of services from the CFRCoE to regional NSW was obviously decided with no planning and with no regards to staff as this would have resulted in John being located in Port Stephens and Veronica being located in Coffs Harbour. Decisions made thereafter have also been ill-advised, uninformed and with little regard for the personal effects that the implementation of the decision would have on staff.

The following submission addresses the Terms of Reference for which we can provide information and opinion. We request that information supplied under ToR 1h be kept confidential.

The submission will address the Terms of Reference (ToR) as follows:

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ToR 1b – what consultation was undertaken prior to the decision with stakeholders, including commercial and recreational fishing groups, environmental groups and staff

We believe that no consultation that is representative of the many number of stakeholder groups that the Department gives consideration to was undertaken prior to the decision. During the course of our departmental business we are required to contact and provide responses to commercial, recreational, conservation and indigenous stakeholder groups as well as answer inquiries from the general public. In the last 10 months, since the decision was announced, not one member of these stakeholder groups has indicated that they were consulted prior to the decision. In fact, each person has expressed disbelief at the decision, disappointment in the lack of consultation with, or consideration of, each of the groups they represent, and concern for the impact that the implementation of the decision will have on their fisheries specific interest and sustainability of the resource.

Immediately after the decision was announced, the Professional Fisherman's Association (PFA) put out a media release supporting the Minister's decision. We assume then that this organisation was at least told of the decision prior to its announcement. However, the PFA, at that time, only represented approximately 20% of NSW commercial fishers (equating to about 200 fishers) mostly, if not all, located on the NSW north coast. In no way did the views of the PFA represent the wider commercial fishing community and many of its members that we have spoken to did not know prior that the PFA would support the decision. In fact, many of the PFA's own members have openly condemned it. Our direct contact with south coast commercial fishers in particular has been most concerning. They feel even more disenfranchised by the decision to move considerable expertise away from Sydney, and that their needs have been given no regard.

Minister Hodgkinson defended the relocation of scientific and commercial management staff to Port Stephens and Coffs Harbour respectively based on the inaccurate comments by the PFA. The PFA stated that 80% of the catch by volume comes from north of Sydney (see Parliament NSW Hansard 12 October 2011, pg 6065 as an example). In fact, the Department's own records, supplied by commercial fishers on a monthly basis, shows that around 55% of the commercial catch comes from north of Sydney. This evidence was provided to the Minister in the submission made by staff collectively, and in correspondence to her directly by us. That the Minister would rely on information supplied by the PFA, instead of consulting her own Department, shows a great amount of neglect in understanding her Primary Industries portfolio and provides an example of how no planning or research had been done as to the effects the implementation of the decision would have

on stakeholders. The failure of the Minister or her staff to even acknowledge this misleading error is typical of the arrogance that has been displayed throughout this ordeal.

Documents released under Freedom of Information show that some correspondence had been entered into with Departmental staff prior to the Minister's announcement. However, none of the staff consulted are located at the CFRCoE or have detailed knowledge of the infrastructure at this facility, and none have any understanding of the importance of the expertise held by staff and the unique opportunity for issue resolution to be achieved by having such a diverse range of activities located at the one place.

We have openly suggested that, if the central premise of the Minister's decision was to decentralise services then this could have been achieved with a far better outcome if she had consulted with staff at the CFRCoE and extended the timeframe for implementation.

ToR 1c – the costs and benefits of the decision to close the Centre and relocate its functions to other locations

We have personally made the Minister aware of at least some of the less obvious costs related to closing the CFRCoE and relocating its functions to other locations. Amongst these is the loss of large amounts of external funding generated by staff at the CFRCoE. The CFRCoE is world famous with a proven record of being able to deliver on large externally funded projects. Consequently, this reputation, in combination with the wonderful facilities, and the international reputation of its staff results in considerable external research funding each year. The loss of the brand that is the CFRCoE and the forced retrenchment of the majority of senior scientists will certainly see a loss of research funds generated for the people of NSW. Personally I (John) have generated more than \$2 million dollars in external non-government funding during the past decade, and these funds have supported many positions within the Department and have produced world class scientific results that enhance the reputation of NSW as a research provider. If the CFRCoE is closed and I am relocated to a location with lesser facilities, or worse, am forced to leave the Department, then these funds will no longer be forthcoming.

Another major cost of closing the CFRCoE will be the loss of career opportunities for staff. I (Veronica) have benefited from the diversity of functions located on site. I spent 7 years in the Science & Research Division working on a number of different projects, which, if I were to do them once the relocation is finalised, would mean moving from Sydney to Nowra/Wollongong and to Port Stephens. Due to limitations on Government funding for research at the time, I then gained employment working in the Management Planning team and am now in Commercial Fisheries

Management. I have spent over 7 years in the management arm of the Department. These career opportunities would have required a further move to Coffs Harbour. It is likely that none of these would have been feasible due to the cost of constantly moving, the uncertainty of continued employment on temporary contracts, and due to family circumstances. We believe that having such a diverse array of functions on site has provided for corporate knowledge transfer, up-skilling opportunities and the ability for a genuine career path to be achieved in what is a very small professional area. It has also provided for trusting relationships to be formed. Due to the myriad of stakeholder views that need to be considered in fisheries management, advice needs to be sought from a number of Departmental professionals. That scientists, commercial and recreational managers and licensing staff are all located on the one site has provided the ability for staff to trust the advice being received due to the closeness with which they find themselves and to quickly locate the person from whom advice is needed. Even if all the positions were filled, an unlikely event given the current state of play within the NSW Public Service, there would still be a level of uncertainty over advice given since the bond of trust will not have been formed.

One cost of completely closing the CFRCoE and sending the staff to various regions that appears to have been overlooked is that of education and career opportunities for students interested in fisheries science. Currently we are personally involved in several such educational events each year including the Science in the City and Science in the Suburbs initiatives that enable school students from all over Sydney to learn about fisheries science. These require substantial input from many experienced scientists each year and will no longer be possible if the CFRCoE is closed and the majority of staff either forced to resign or move to regional centres. In addition, I (John) have run an annual internship program for university students from the Southern Cross University (SCU) since about 2007. This internship program is a flagship event for the SCU and has resulted in several students gaining employment in fisheries. The program is a success because of the brand that is the CFRCoE and the diversity of skilled workers based there. I have written to the National Party member at Lismore, The Honourable Thomas George, telling him that the internship program will have to end unless at least some scientific functions were retained at the CFRCoE however, typically received no reply. In addition, any student from a Sydney-based academic institution will no longer be able to access internships we offer, the unique scientific expertise or the facilities which cannot be replicated at any other Sydney-based site.

In individual correspondence to the Minister, and in the staff submission, we have inquired about any cost/benefit analysis that may have been done to inform the decision and we have informed her that the current site, which houses approximately 150 people, costs relatively little to run. To date,

we have not received this information. If such an analysis determined that there was a benefit to NSW by ruining the careers of some of the best Fisheries scientists, managers and support staff in Australia, dismantling a state-of-the-art, purpose built facility and dispersing services all over NSW, then staff would accept the decision, however difficult. We can only assume that such an analysis does not exist and, therefore, question that this decision is in fact of benefit to NSW and whether any regard to economic rationalism was made.

We have provided the Minister with information that will assist in maintaining expertise and reducing costs if the Government wishes to proceed with this irrational plan. We have suggested that the aquarium, laboratory, associated office space, and storage facilities be retained so that staff and positions identified as needing to stay in Sydney can remain at the CFRCoE. We do not understand why this suggestion is not being entertained considering that the Government maintains they have no plans for the site and have engaged a consultant to assess community submissions as to the site's future use. That those supporting the CFRCoE were able to gain over 19000 petition signatures in a matter of weeks, including many thousands from the local area, demonstrates the desire to retain the facility as is.

ToR 1d – the extent to which the decision satisfies the Minister's responsibilities under the Fisheries Management Act 1994

We feel that the decision to close the CFRCoE and the resultant impact of many experienced employees being forced to leave the Department due to an inability to relocate, will greatly affect the Minister's ability to satisfy her responsibilities under the Fisheries Management Act (1994): specifically, the objects of that Act detailed in Part 1, Section 3(2).

The loss of scientific expertise will severely affect the Minister's ability to conserve fish stocks, to provide information on threatened species and populations that will aid in their conservation and to promote ecological sustainable development as there won't be enough staff with the experience necessary to undertake the assessment of the State's fisheries resources. There is currently a number of scientific staff who are integral to the assessment process who are unable to relocate. This vast knowledge will be lost and, even if those positions are refilled, the knowledge will not be available.

Consequently, we believe the Minister will not be able to satisfy the objects of the Act that relate to the promotion of viable commercial fishing and quality recreational fishing opportunities, to appropriately share fisheries resources between users and to provide social and economic benefits to the wider NSW community as there will not be sufficient assessment of the resource to provide

for those flow-on effects. Furthermore, the future lack of knowledge on the sustainability of the State's resources will result in more precautionary management measures being implemented with the likely outcome of hampering viability of commercial fisheries, leading to a negative impact on the communities that rely on commercial fishing for employment and tourism. More precautionary management arrangements will also minimise the amount of the resource that can be shared.

Note that a number of themes presented here are also related to ToR 1f below and we recommend that you also refer to that ToR when considering how the loss of scientific expertise will affect this ToR.

ToR 1e – any advice received by the Minister on the ability to replicate the Cronulla facilities at other locations, including potential problems and other implications of the other locations

We personally sent the Minister letters that addressed this issue as did the CFRCoE staff submission. The Minister was advised that some facilities, such as the unique seawater flow-through aquarium essential for work simulating conditions in the wild, would be unable to be replicated anywhere. While other facilities that are vital for our work could be replicated in some places, albeit at huge costs, we made it clear that apparently no sites exist in NSW that could replicate the combination of facilities required. For example, essential components of the CFRCoE that make the site so important include: the aquaria mentioned above; state-of-the-art laboratories that are the best designed we have seen in Australia; safe and easy access to the open ocean via a large wharf; adequate storage facilities, ample car parking for a range of vehicle types and parking for boats, quick access to the airport enabling cost effective regional consultation, and close proximity to some of the best academic institutions in the country. Failure to replicate all of these components at our place of work will seriously compromise our ability to function effectively.

ToR 1f – the loss of scientific expertise held by the staff who cannot relocate from Cronulla and the implications for sustainable fisheries management

I (John) am a Senior Research Scientist at the CFRCoE with an international reputation in fisheries biology and assessments. With nearly 50 reports and papers in international peer-reviewed journals on fisheries-related science, and being the designated Departmental expert on the status of more than 27 species, I feel that I am well qualified to make comment on this issue.

Firstly, let me state that neither I, nor any of my senior scientific colleagues to my knowledge, were asked about the potential loss of scientific expertise resulting from closing the CFRCoE and the implications that it may have on the Minister's ability to meet her responsibilities under the Fisheries Management Act 1994, prior to, or since, the announced closure. I believe that this shows the

disregard with which the Minister considers this aspect of her job, and the ignorance or disregard that the senior bureaucrats involved in providing advice to the Minister have regarding fisheries science.

It is my professional opinion that closing the CFRCoE and treating the majority of experienced scientific personnel in such a way that they are being forced to leave the Department, will leave the government in a very weak position to assess and manage sustainably the fisheries resources of New South Wales.

Currently, the Fisheries division of the NSW Department of Primary Industries assesses the status of approximately 110 exploited species each year. These assessments are vital for the government to achieve its obligations under the Fisheries Management Act 1994 regarding ensuring sustainable fisheries. Please note that we assess more species annually than any other fisheries jurisdiction in Australia, yet with relatively few resources. This work is entirely done by scientists based at the CFRCoE and I assure you that the expertise does not exist elsewhere in either government or academic institutions. We have been able to assess so many species by developing a unique process described in the document "A Framework for the Assessment of Harvested Fish Resources in NSW" (Scandol, 2004). The assessment process is one of an expert panel that meets to consider all available information and to assign each species an exploitation status (ranging from moderately fished to overfished) as well as an assessment class (ranging from 1 to 5) to reflect the robustness of that assessment. The outcomes from this group are then integrated with industry and fisheries management in formal processes. The assessment process has worked so well that the other Australian states have expressed interest in its adoption and Queensland has already adopted it. The huge success of the process lies in the composition of the expert scientific panel and it is my belief that closing down the CFRCoE and forcing the majority of experienced researchers to leave the Department will make the ongoing use of this cost-effective and highly regarded assessment system impossible. Clearly, those who made the decision to close the CFRCoE completely, and those charged with implementing the closure, have either little or no understanding of the way the fisheries resources in NSW are assessed, or the impact of their actions on the ability of the government to meet their responsibilities regarding fisheries management.

If the CFRCoE is not maintained as the hub of fisheries resource assessments in NSW and sufficient expertise is not maintained, then I fear that the only possible outcome will be that the majority of fish stocks will no longer be defensibly assessed. The result of this will be greater uncertainty in fisheries management decision making and a much greater risk to the fisheries resources of NSW on which so many depend for income, recreation and enjoyment.

It is not too late to salvage sufficient expertise to sustain the vital work done regarding stock assessments that underpin fisheries management. However, given the personal circumstances of the majority of the resource assessment scientists in NSW the only way this can be achieved is for them to be maintained in the Sydney area. The fact that the Sydney Fish Markets is a key source of monitoring in the ongoing assessment work is another compelling reason why these scientists must be Sydney-based. Without argument the best, most cost-effective option to ensure that the state's fisheries resources are properly assessed is to keep the CFRCoE open and as the home of resource assessment and management in NSW.

ToR 1g – the impacts of the decision on service delivery to stakeholders

Staff are faced with continued uncertainty and have spent a great deal of time trying to determine their fate. The considerable lack of planning by the Department has meant that staff are required to expend much of their own time contacting relevant personnel to determine their rights, entitlements and details of the relocation process that is to be undertaken. Given the debacle of the process, staff have also had to meet regularly with Public Service Association representatives to ensure that they receive what they are entitled to. This has caused distrust between affected staff at CFRCoE and senior management staff.

Given the above, the direct impact of the decision to stakeholders has been a reduction in service delivery to them. While staff endeavour to perform their duties with the utmost professionalism and with regard to the needs of stakeholders, it is only natural that performance and desire to accomplish those tasks are diminished, especially when there is a lack of confidence in the Department we all represent. Furthermore, the continued uncertainty has resulted in staff members leaving – either with, or without, alternative employment – and the non replacement of those staff members has naturally caused a reduction in service delivery to stakeholders.

If the implementation of this decision proceeds to completion then there are real fears that this reduction in service delivery will be the norm. In the Minister's original Media Release (8 September 2011) it states:

'While destinations are being finalised, the principles guiding the decentralisation program are:

- *The Fisheries research and fishery management services capacity is maintained; ' etc.*

Yet there is no commitment to refill every position that has been lost due to staff members leaving the Department. It is unclear then how the loss of staff i.e. reduced capacity can still provide the sound and timely advice to stakeholders. It would seem that the Minister or Department is

advocating that remaining staff will be forced to take on extra work leading to greater susceptibility to stress-induced illness. Some staff members have already been forced to take leave from work due to the stress caused by the Minister's decision and it would seem irresponsible for anyone to increase the likelihood of that occurring to more staff members.

ToR 1h – the impact on staff and their families of the closure and the relocation

While we know first hand of the extreme hardship and stress that this decision has had on our friends and colleagues we can only discuss our personal circumstances. As previously mentioned we both work at the CFRCoE in the Science & Research and Commercial Fisheries branches and have

We believe that these circumstances, our expertise, and the strong business cases surrounding our positions, have been taken into consideration and have resulted in our positions being transferred nominally to the Sydney Institute of Marine Science (SIMS) at Mosman. While not ideal from a personal perspective, it is an option that can work for us. However, to date, there has been a lack of progress in securing any positions at that location and the proposed arrangements have recently fallen through. The most recent proposals appear to be inadequate for the services that are to be transferred there. Naturally, this uncertainty, after 10 months, has continued to place great strain on both our personal and professional lives. We are still not sure how secure this Sydney option is and, if not, what the alternative might be. Given the widespread scope of what constitutes 'Sydney' other alternatives may have the same ramifications as being transferred to regional NSW. Also, being able to find quality childcare places generally only comes from a long waitlist process. Given that we are still uncertain as to the location of our positions, we cannot proceed with plans to place our children on those waitlists.

More generally, we believe that the 12-18 month process that the Minister has allowed for the implementation of the decision has placed undue strain on staff and their families. In direct correspondence to the Minister, we have suggested, apart from reversing this decision, that if it is to proceed then a longer timeframe should be employed to assist staff and their families. The extended timeframe would have allowed staff to make informed decisions regarding their future and provide families the opportunity to scrutinise all available possibilities and plan for any change including time to find alternative employment. As you can see from our situation above, there are still no firm plans for our positions. We believe that this is due to no planning being undertaken prior to the decision's announcement as to the logistics of its implementation and has meant that the Department has been totally unprepared for the task at hand. Considering that the Government has no plans for the site we are baffled as to why the implementation has to be rushed when this is detrimental to staff and their families. From a personal perspective, the only logical plan is for the CFRCoE to remain open in its entirety.

ToR 1i – the impact on the heritage values of the Cronulla Fisheries Research Centre

Closing the CFRCoE will have a huge impact on the heritage values associated with the site and we have questioned Minister Hodgkinson and also the Minister for Heritage Robyn Parker about these impacts in personal letters. Specifically we asked about the official heritage statement of significance which includes *"The Cronulla Fisheries Centre site as a whole is of national and state heritage significance because it is the first marine investigation establishment in Australia, commencing in 1904. It has had continual association with NSW and Commonwealth Government Fisheries investigations since then....."* and how the closure of the centre and the relocation of government fisheries investigations will impact this.

Unfortunately neither Minister Hodgkinson nor Minister Parker responded to our questions. We take their lack of responses as: (i) typical of their lack of respect for staff at the CFRCoE, and; (ii) recognition that the impacts on heritage values were not considered properly, if at all, prior to the decision to close the CFRCoE.