

Submission
No 967

INQUIRY INTO RECREATIONAL FISHING

Organisation: Indigenous Fishery Consultants
Name: Mr Adam Brady
Date received: 23/03/2010



Indigenous Fishery Consultants

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

16 March 2010

Dear Sirs,

RE: Call for Submission closes 19 March 2010 to the Legislative Council regarding the Select Committee on Recreational Fishing

Aboriginal fishers are currently treated as recreational fishers under the Fisheries Management Act 1994 and subsequent Regulations. Indigenous Fishery Consultants has a number of strategies to address issues within the NSW Fishery. These issues cross all areas of the terms of reference and are outlined in addressing each fishery concern. Positive changes in fishery management are the key in ensuring a sustainable resource for all stakeholders.

Part A in the Terms of Reference: the current suite of existing regulatory, policy and decision making processes in relation to the management of the recreational fisheries in New South Wales, including the process for the creation of Marine Protected Areas and Marine Parks,

2009 Indigenous Fishery Access Submission

Please see attached Indigenous Fishery Access Submission from 2009. The NSW Department of Primary Industries, after a request, attended a meeting at the Illawarra Aboriginal Corporation in 2009 to discuss proposed changes affecting Aboriginal Fishery access in NSW. Although Aboriginal people are considered as recreational fishers, Indigenous cultural fishery access extends through the Community past being a recreational fisher. From cultural, economic and health reasons the NSW fishery is of high importance to coastal people although the Fisheries Management Act 1994 still doesn't recognise this issue.

Quantify the Recreational Fishery Effort

The NSW fishery resource must be quantified including all recreational fishery effort including Indigenous take and recreational diving. This area has not been addressed by the NSW DEPARTMENT OF PRIMARY INDUSTRIES, and continues to be a problem when managing the fishery and setting regulatory limits.



Fishery Stakeholder Balance

There must be a balance between all Fishery Stakeholder. This includes Commercial Fishers, Aquaculture, Indigenous and Recreational including Fishing & Diving stakeholders and must be represented in a balanced approach across all fishery management policies and strategies. The Abalone Region 1 Closure to recreational and Indigenous fishers and the Shark Fishery Issues surrounding limiting recreational catches when there has been an increase in quota to commercial fishers appear to favour just the one sector. Although this area is contentious between all stakeholder groups, it is essential in long term management strategies in balancing interests across all sectors.

Indigenous access to Recreational Fishing Trusts

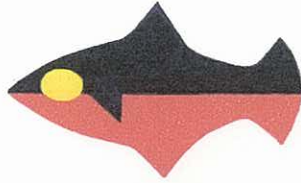
The High Court Blue Mud Bay decision surrounding traditional owner's access to the fishery must be extended to non traditional owner Aboriginal groups in NSW. A model where a percentage of the recreational fishing trusts fees should be distributed to the Indigenous Community for programming that promotes cultural access to fishery.

Regulations – Species Issues

Rock Blackfish	10 per person per day
Mulloway	60cm Minimum Legal Length
Snapper	40cm Minimum Legal Length
Yellowtail Kingfish	70cm Minimum Legal Length
Australian Salmon	20 per person per day
Leatherjacket	50 per person per day
All Flathead	40cm Minimum Legal Length
Red Morwong	2 per person per day
Blue Swimmer Crab	8cm Minimum Legal Length (Head Measurement)
Mud Crab	12cm Minimum Legal Length (Head Measurement)
Eastern Rock Lobster	12cm Minimum Legal Length (Head Measurement)
Abalone	Open Region 1
Pipis	available to be taken for food

Note size restrictions would also need to be applied across all sectors such as Recreational, Indigenous & commercial fishers. Increasing limits on the species listed above would allow the following;

- Increase recovery value of each species unit
- Increase individual species spawning contribution to the fishery
- Increase Dominate Species Fishery Effort
- Anglers catching bigger fish – Bigger economic return to NSW Tourism
- Annual Fishery Regulations reviewed and published with licence application



Distribute Fishing Effort to dominant low value species

Due to fishers targeting high value species, an energy void in the fishery has been replaced with lower value species. This can be seen in a number of species off the NSW coast including Australian Salmon, Urchin and leatherjacket. While a fisher is targeting one species they can't be targeting a higher value species at the same time therefore spreading fishing effort to dominant species. Recreational fishers through changes to the regulations as listed above could assist in changing the ecological imbalance in these low value species.

Method Issues

Witches Hats crab traps should be replaced with 4 sided crab traps. These traps if lost can become "ghost traps" by catching fish and continue to self bait catching more and more species while unattended. For bi-catch and undersize crab return, witches hats traps also are highly damaging where the 4 sided traps return fish and crabs relatively uninjured. Queensland has also banned the use of these traps.

Queensland allows the use of cast nets to catch live bait for fishing. NSW needs to be consistent in allowing this method of practice in NSW. There is relatively limited impact from this method of fishing when similar species can be trapped (in bait traps) taking longer to acquire shore based live bait for recreational fishers.

Indigenous Exclusion in Marine Parks

Indigenous Cultural exclusion relating to Marine Park creation has continued with the establishment of a number of Marine Parks. Limited consultation takes place with Community and this has only alienated the Community further in engaging with Fishery Managers policy and strategies. Aboriginal people should be seen as custodians of the fishery and with thousands of years of fishery observations; this must be considered when examining future and existing Marine Parks.

Part B in the Terms of Reference: the effectiveness and efficiency of the current representational system of trusts and advisory committees that advise government departments and statutory authorities;

Indigenous Representation

There must be Indigenous representation on all fishery advisory bodies and representational systems across all areas of fishery management. Aboriginal Communities see fishery issues as important to cultural attachment in land access issues.

Recreational Diving Representation

There must be Recreational Diving representation on all fishery advisory bodies and representational systems across all areas of fishery management. This increasing area of the recreational fishing community needs to be represented with the increase in these fishers.



Part C in the Terms of Reference: the value of recreational fisheries to the economy in New South Wales;

Aboriginal Fishery Enterprise Development

Indigenous business creation in the Fishery including Recreational Fishing Guides & Charter including heritage site access enhancing tourism, Sustainable Aquaculture including restocking and Urchin Removal programmes would increase economic development in the Community. The fishery should be used to enhance enterprise development for coastal Aboriginal Communities across NSW.

Tourism Enhancement

If hard decisions were made now regarding improving the fishery including positive steps in fishery management, NSW could be the next fishery tourism boom over the next few years. This would be due to the fish abundance, size and including steps to improve recreational diving (based on the proposed species changes listed in this submission). Queensland is often seen as a Mecca for recreational fishers and NSW could gain this tag if these steps were made. Further boat ramps and artificial reefs needs to be pursued in distributing the increasing numbers in recreational boating across the state.

Part D in the Terms of Reference: the gaps in existing recreational fishery programs, including the number and location of Recreational Fishing Havens;

Recreational Fishing Havens

There must be an increase in Recreational Fishing Havens across NSW. Not only does this act as a positive experience for NSW Recreational fishers, but assists not only the direct Lake for river system ecosystem, but contributes to the offshore fishery as a nursery ground. Lake Illawarra is one Lake System the recreational fishing trusts should buy back all licences from the Commercial Fishers in the lake. The benefits can not be understated from an economic stand point and sustainability issues in contributing to all species in the NSW Fishery as a nursery. Commercial Mesh Net bi catch of undersize species has a sustainability impact across the whole NSW Fishery.

Fish Attracting Devices (FADS)

There needs to be a further deployment of Fish Attracting Devices (FADS). This will enhance the fishery while spreading effort across a greater number of FADS. Often travelling over 15 km offshore to find no or undersize fish at these FADS can be a negative experience for recreational fishers. This contributes to a higher fuel bill for little return of effort. If fishers can fish a series of FADS offshore in close proximity such as off Sydney it makes these offshore trips more productive.

Fishery Aviation Support

Please see the attached letter from the Australians Aerial Patrol. Fishery aviation support is essential to the long term sustainability goals of fishery management and currently is non existence or highly limited.



Aviation support to Fishery Management and Enforcement is a relatively cheap tool not being fully utilised by Fishery Authorities. There are a number of key fishery management and enforcement areas that would benefit from greater use of Aviation Support Services. Direct Enforcement & Intelligence gathering from high value species such as Lobster and Abalone, through to offshore surveillance for Tuna species and fishing fleet monitoring is a direct example. Due to the Australian Aerial Patrol conducting various coastal operations, this aviation support service becomes a highly visibility deterrents due to coastal operations such as Shark Patrols and Rescue Operations. Any poaching activities will not be aware if the aircraft are engaged in fishery surveillance. Subsequent promotion of this aviation support, particularly in remote and offshore areas will contribute to this deterrent.

Aviation Fishery Support Services as a Management tool in surveying and mapping the fishery and its species, is also under utilised. The current Australian Salmon over population can be monitored and a clearer picture of the stocks in NSW would be determined. Great White research currently being undertaken by the NSW DEPARTMENT OF PRIMARY INDUSTRIES would also be enhanced by using these services. Great Whites are easily seen from aircraft and these reports could form population information including size and distribution throughout NSW.

Finally recreational fishing reports could be compiled in conjunction with a partner web site in providing recreational fishing reports conducted every weekend. Reports such as Schooling fish, ocean conditions such as water clarity and various types of reports including video could be made available to recreational fishermen in assisting fishing effort.

Programmes in Community

Schools and Community Group liaison needs to continue in educating the future generations of recreational fishers about the fishery and the subsequent regulations that ensure sustainability. Fishery access programmes funded through the recreational fishing trust where younger people are given the opportunity to access the fishery will contribute to the long term sustainability goals of fishery management strategies.

Part E in the Terms of Reference: ecologically sustainable development issues related to improving recreational fisheries;

Urchin Removal Programmes

Urchin Removal Programmes need to be established to reduce the instance of large scale "white rock" conditions on inshore NSW reefs. Not only do these species compete for habitat and feed, but strip the inshore reef of genetic diversity of its sea weeds. There must be sustained removal programs to enhance the balance of urchins in the NSW Fishery. Studies have shown in Tasmania that the removal of lobster has contributed to this condition. The urchin product could be used for roe markets and also sold in the recreational fishing sector as burley blocks.



Fishery Restocking and Support Facilities including Hatcheries

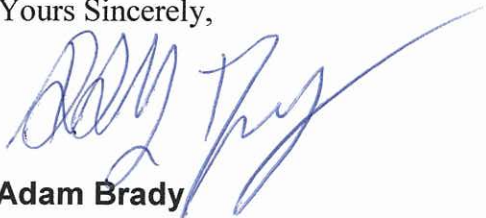
The NSW Fishery needs urgent assistance through restocking including dedicated restocking facilities and restocking teams. The fishery ecosystem is out of balance as all fishers have targeted high value species. This process only continues and the fishery has got to a tipping point where large scale restocking is required. There have been various proposals surrounding this topic and Japan has had great success in restocking. Issues with translocation and genetic diversity can be overcome through the use of local brood stock and the rotation of these spawning adult species. The NSW DEPARTMENT OF PRIMARY INDUSTRIES must promote and assist aquaculture development throughout the state. Not only do these offshore facilities act as Fish Attracting Devices, but provide additional habitat in the areas they are established. Restocking projects could also be established with these partners in addressing high value species depletion. Increasing aquaculture in NSW will have a secondary effect of decreasing the commercial fishing pressure on stocks while enhancing the recreational fishery.

Purchase of High Value Species Quota from Commercial fishers

High value species managed by a quota system needs to be targeted and distributed to recreational fishers. As an example, quota of these species needs to be purchased from the commercial Lobster and Abalone Industries to enhance recreational diving while addressing fishery stock levels. The NSW Abalone Industry has further decreased in its quota after the NSW Abalone Taskforce in 2005 highlighted various Industry issues. This shows that the Industry is not effective in managing the resource and this is effecting recreational diving in the state. The recreational fishing trusts needs to purchase quota from the Industry to address this issue. Region 1 continues to be closed to recreational divers while the industry samples tonnes from the area.

I hope this submission assist in looking at the issues outlined in the terms of reference. Please feel free to call me on _____ to discuss this submission or clarifying and of the issues outlined in this submission.

Yours Sincerely,



Adam Brady
Indigenous Fishery Consultants