

**Submission
No 10**

**INQUIRY INTO COMMENCEMENT OF THE FISHERIES
MANAGEMENT AMENDMENT ACT 2009**

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Portfolio Committee No. 4 – Regional New South Wales, Water and Agriculture inquiry into the failure to proclaim the commencement of Schedule 1 of the Fisheries Management Amendment Act 2009 concerning Aboriginal cultural fishing

Submission dated 19 January 2022

From: Linda Longbottom

Thank you for the opportunity to make an individual submission as a South Coast Aboriginal person to the Portfolio Committee No. 4 – Regional New South Wales, Water and Agriculture inquiry into the failure to proclaim the commencement of Schedule 1 of the Fisheries Management Amendment Act 2009 concerning Aboriginal cultural fishing.

I am a South Coast Aboriginal person. I am part of the Jerringa Aboriginal Community at Orient Point.

I reside in my mum and dad's home. I've been here 15 years. So this land's been within the family for quite a long time. My grandfather and my father and my uncles erected the fishing trap that's still here at Orient Point.

Fisheries Management

The last couple of years commercial fishermen and recreational fishermen are basically doing what they want. Yesterday I [was] watching these guys and videoing them and not saying nothing to them. Just video and that. I contacted New South Wales fisheries yesterday because they were netting inside the fish trap rock wall. It was on high tide.

Today there was another, probably working in pairs, right down near the back of Roseby Park Cemetery. They were netting up a little creek which goes up to the cemetery. Getting the baitfish, the poddy mullet baitfish. I've got his [a fisheries officer] mobile. I've contacted him and everything like that and I even got chased by one of the poachers this morning.

I've been watching them. They're supposedly dragging a net along and coming back and then leaving a buoy floating in the water and go off and do a little spin around. Then come back and then pulling it back up. It's poddy mullet, but I watched in the day, looked like homemade traps to me. They had three of them.

Yesterday was the first time I seen them netting inside and I thought, well, I'll ring the fisheries and see how I go, but seriously, they reckon they said they were watching these people from Crookhaven Heads Boat Ramp. And they weren't doing anything illegal. But it was there was like 2 feet away from where I was sitting on a log on the shore.

[My partner] he's just talking to them. And they're like, 'oh, we're getting live bait.' But they'd come back twice to get live bait. So what's the limit for live bait? I looked it up and it's about 25 to 50 live bait in certain areas, but 25 juvenile mullet. Seriously, they had more than 25.

We saw them take off from the boat and go towards Greenwell Point. And then 10 minutes past you could see them come back and going back to exactly the same spot. So I thought, they're up to something. When I chatted to the fisheries officer, he said 'they're probably pumping nippers'. I said, 'it's over your knees, the water.' And they didn't have a pump in their hand. And it'd be a sieve with a bicycle tube attached, that they're pumping with. And then I gave him the number on the boat.

And that's when he come back and said, 'oh yeah, it's recreational fishing, they're allowed to do that' blah blah. And I said, 'well within this area?' He said he was watching them from Crookhaven Heads car park. And he said 'it looks like they're putting crab traps in.' I said, 'I've lived here all my life and my family fished these waters for many, many years. There's no crabs here. Except for soldier crabs that are on low tide.'

That was the fisheries' excuse then. And the last time I heard from him it was 'Yeah, thanks. We've got photos of the traps with long range zoom cameras. They're allowed to use that style of trap as a bait trap to catch poddy mullets. So no offence was committed here today.' I didn't say anything back. It was just pointless for me wasting my time and ringing them.

They're sitting over at the Crookhaven Head boat ramp. But these guys are over here near the Rosie Park cemetery, which you can get in a car and you can drive over and you could walk down and actually see and ask what they're doing. And the only person that asked them what they were doing was my partner.

I took photos of them carrying their mullet traps and it doesn't look like what fisheries has on their website saying what they can use. They're saying that for the people who use traps to get saltwater baits is a round plastic one. These guys had three square large ones.

This is a continuous thing. Basically this happens maybe ever second or third day.

Down the bottom you can see the bread and pipis. Pipis don't come from over here. They're over at Comerong Island. Whether they were chucked overboard or used as bait or whatever, in the end, it's the people in the community that get blamed for things like that. It's just like when you see people down here and there's less because there's oyster leases all over Comerong Island. Now you see the oyster lease containers down here on the beach. Just dumped there. It goes around that 'all that Aboriginals on Gerringa are stealing'.

There's different rules for different people. If the fisheries can't listen to Traditional Owners – and I'm one of the Elders in this community – it's kind of a downer for anyone or any person. What's the point? If the community was to go down there and rush at these people, I guarantee the police would be called.

Impact on marine resources

You know, there's nothing [no fish]. You used to be able to go out there and get a couple of blackfish, bream or flathead, even a couple of flounders or something. [But now] there's nothing. Not even the poddy mullet. If you put out a trap there, you don't even get a looking for a poddy mullet.

The guys up here [the community] are really sick of netters and people just you know, coming this close.

You know if you're getting bait, you get enough and you go and that's it. That's what we do. We get our own bait down here. We take enough to go fishing. And we leave the rest. We don't go getting bucket loads and bucket loads. We might be able to get a few, maybe 10, under 20, poddy mullets to go fishing down here. Nippers, same as the nippers. We get about 20, maybe 25 of those nippers unless we pump them. And if you can't get a feed after that, well, what's the point of hauling in so much bait?

Of course, you're just taking it away from the habitat of the sea, and it's not going to produce, is it? The bait's live, if you can keep it alive till the next day, that's fine. Which some of us do here. We've

got a pump, a pump that you put in an aquarium. We'll keep them alive till the next day, but that's about it. And then if we've got live ones left over, we'll walk down to the beach and put them back in the sea.

Looking after Aboriginal Heritage

This guy [a recreational fisher] goes, 'well I've been fishing here for 20 years and I've never known about the fish rock trap'. And it's like, well it's plain to see if you've been fishing here, you'll know that it's out of bounds. There's like 20 waters to fish in, but they seem to choose to net within [the fish rock trap].

Our fish rock trap is part of Gerringa. It's part of our culture of going down there. We at least we know we can get down and get a feed of fish. If we want to get oysters, we usually go down to the dyke here and get our oysters, but we only get enough for a feed and that's it. We don't go getting loads and loads of it. And we've got mussels there too. We know where to get it, and we only get enough to feed the family and nothing goes to waste. And you've got recreational fisherman coming in here, just doing what they want. This is the only place this community gets their fish from.

We're just saying fish outside the fish rock traps. There's no need to be in that close and raping the sea by coming back multiple times to do it. How's the fish gonna have a habitat if people are just taking what they want?

Recommendations

[I'd like] boundaries of where recreational fishermen can go, and if it's part of Aboriginal community, stay outside of those boundaries, like the fish rock trap. And if you're going to collect bait, collect it right without putting suspicions in other people's minds. No fisheries officers come out here at all. I've never seen a fishery out here basically in my life.

May this should be like how Jervis Bay, Wreck Bay area, they've got a sanctuary [zone] out there where you're not allowed to fish within those boundaries except for Aboriginal fishing. People of the community who live in those areas can fish there.

Yes [I would like to see Aboriginal communities have a greater say in the management of Sea Country]. Have more input to it. Have someone on there that can be there if situations like this arise. The only thing I can do is email the land council. They would turn around and say 'ring the fisheries.' Well the fisheries, you do that, you email the fisheries and you ring them, and you're basically back where you started. You find it frustrating and pointless because they they're not interested.

The government needs to let people tell them their concerns of fishing within our community.

Signed: Linda Longbottom

Jerringa Aboriginal Community
