

**UNCORRECTED PROOF
REPORT OF PROCEEDINGS BEFORE**

SELECT COMMITTEE ON RECREATIONAL FISHING

INQUIRY INTO RECREATIONAL FISHING

At Port Macquarie on 5 May 2010

The Committee met at 12.55 p.m.

PRESENT

The Hon. R. L. Brown (Chair)

The Hon. A. Catanzariti

Mr I. Cohen

The Hon. R. H. Colless

The Hon. C. M. Robertson

The Hon. L. J. Voltz

CHAIR: Welcome to the fifth public hearing of the Select Committee on Recreational Fishing. This is the third of our six public hearings at regional locations. The Committee will be holding further public hearings at Batemans Bay, Griffith and Grafton. Before we commence I shall make some comments about certain aspects of the hearing.

In accordance with the guidelines of the Legislative Council for the broadcast of proceedings, only Committee members and witnesses may be filmed or recorded. People in the public gallery should not be the primary focus of any filming or photographs. In reporting the proceedings of this Committee, members of the media must take responsibility for what they publish or for what interpretation is placed on anything that is said before the Committee. The guidelines for the broadcast of proceedings are available from the table by the door. I remind everyone that any messages for Committee members or witnesses must be delivered through the secretariat staff.

I remind everyone to switch off their mobile phones, even from silent mode. I welcome our first witness, Mr Robert Smith and Mr Paul Hennelly from The Fishing Party. All witnesses will be sworn in prior to giving evidence.

ROBERT ARTHUR SMITH, Chairman, The Fishing Party, , , and

RICHARD PAUL HENNELLY, Research Officer, The Fishing Party, , , affirmed and examined:

CHAIR: If you should consider at any stage that certain evidence you wish to give or documents you may wish to tender should be heard or seen only by the Committee, please indicate that fact and the Committee will consider your request. If you take any questions on notice today the Committee would appreciate it if the responses to those questions were sent to the Committee secretariat within 21 days of the date on which those questions were forwarded to you. Before we commence would one or both of you like to make a brief opening statement?

Mr SMITH: I would like to make a statement as the chairman. I have noticed the attendees at this hearing. I believe that The Fishing Party is the only political party involved in making a submission. I would like to explain why. The Fishing Party is a minor political party. The sole aim of the party is to create some political leverage on recreational fishing. Other parties do it and there is no reason why fishing cannot have that same affordable recommendation. The Fishing Party was formed—one of the main reasons for this submission—because of the fishing licence. The Fishing Party was not happy with the fishing licence, and it is still not happy. Today I will be glad to answer any questions about the fishing licence and about why we are not happy. That is all I have to say in this statement.

CHAIR: Mr Hennelly, do you wish to make an opening statement?

Mr HENNELLY: Basically I wish to comment on water quality and habitat in relation to structural errors, I feel, in marine parks.

CHAIR: Hopefully the Committee will be able to handle that through the process of questions.

The Hon. TONY CATANZARITI: On page 2 of your submission you state that the decision-making process regarding marine parks and marine protected areas is seen as a political move rather than as a result of evidence-based science. In your view is that a matter of perception or is it fact?

Mr SMITH: In my view it is fact. If the Committee would like to examine the situation relating to marine parks in New South Wales it will notice that all the zones in which marine parks have been nominated and named are in Coalition-held electorates. I have heard and read that marine parks are designed through scientific evidence to support what happens, but I find it very hard to believe that the biodiversity and the scientific evidence in areas from Wollongong to north of Stockton, which are 99 per cent ALP-held seats, is less important than the marine biodiversity where the marine parks are made. I find it ironical that one could not take that it is a political motive to do so.

Back in 2007, or 2005, when the Port Stephens marine park was established, that used to be an ALP-held seat, and it was for a lot of years. When the marine park was introduced—I think it was about a 7 per cent holding that the ALP had on that seat—it was lost to the Coalition. One could take from that, even though there was a statewide swing against the ALP, that the introduction of the marine park in Port Stephens cost the ALP that seat. From that time there has always been some dissent about creating more marine parks up and down the coast, especially around the Hawkesbury and Sydney. There has always been a time when people have said publicly, "We are going to have a marine park in Sydney", or, "We are going to have a marine park in the Hawkesbury", or whatever, but that has never eventuated. One would think now, under the current political climate, that the current New South Wales Government would not introduce marine parks in that area for the fact that it might affect its possibility of losing some of those seats in the coming election.

The Hon. TONY CATANZARITI: I find it difficult to believe, as you state in your submission, that it is seen to be a political stunt—and those are not the words that you used, of course.

Mr SMITH: In answer to that, I am reporting what is told to our party through conversations with fishermen. I travel all over New South Wales and I talk to fishermen. I talk to them in Queensland and in New South Wales and I talk to people mostly all over Australia. The answer that I get back is that the people we associate with strongly believe that marine parks are politically motivated.

The Hon. TONY CATANZARITI: You also say that in dealing with marine protected areas consultation with fish stakeholders may have been acknowledged but had very little impact on the final predetermined decisions. Has this consultation had the desired impact? What has been the result?

Mr SMITH: From the information that we receive marine protected areas are percentage based. To me, it seems that before consultation was started, there was a decision made by the Marine Parks Authority, the Minister or the governing authority that a percentage of that area would be a marine park and a percentage of that marine park would be a sanctuary zone locked away from fishing. Why I say that is press releases put out by the Minister—and I have got a copy of one here when Bob Debus and Ian Macdonald were involved with the marine parks—clearly state that 80 per cent of the marine parks will be still open to fishing. If there was not a predetermined percentage of a marine park to be locked up—and that refers to most of the marine parks introduced after Solitary Islands—how come the magic figure of 80 per cent appears?

If it was not a predetermined outcome and 20 per cent would be locked up in marine parks, that far outweighs any scientific evidence that everybody is promoting that caused marine parks to be established. What I am trying to say is why is there 20 per cent of Port Stephens Marine Park to be locked up as a marine park and 20 per cent of Batemans Bay locked up as a marine park when the science, if there is some science, might say that 80 per cent of that area has to be locked up to protect the biodiversity. This seems to be a predetermined percentage amount of what is going to satisfy the Greens, all the stakeholders and the fishing, the commercial fishing. It just seems to be a predetermined outcome.

The Hon. TONY CATANZARITI: What consultation did you have in the whole process? Did you have any at all?

Mr SMITH: We have people who were actually on consultation committees, especially in Port Stephens. Why I get on this line of thought is that the Minister has stated that there would be 20 per cent of an area locked up for fishing in Port Stephens. Where that 20 per cent was is not determined by science; it is determined by when everybody went into the room, they marked all their fishing spots on the reefs and around the whole area. It appears to me that they just put circles and they told them where all the fish were, so that must mean they were the best spots to lock up, because fish would not be there if it was a desert or out in the middle of nowhere. Then when the final crunch came, they could bargain which areas they could swap. If you could swap an area at a consultation meeting, that chucks any science that has been promoted as fallacy as far as I am concerned and as far as the Fishing Party is concerned.

Mr HENNELLY: Can I add to what has already been said? I was on this committee for the Myall Lakes in terms of the massive algal outbreak we had up there in 2000. An attempt was made by, dare I say, Greeks bearing gifts to turn some of the Myall Lakes into recreational fishing areas, take them away from the commercial guys and then the situation would be, "Yes, you can go fishing there but the fish may not be safe to eat", there being a major structural problem with Safe Food Australia concerned about toxin build-up in the fish from the algal bloom.

If the commercial guys catch the fish and they turn out to be toxic, there is going to be an absolute political bunfight. The Greeks bearing gifts said, "We will give you the broadwater as a recreational fishing area and remove the commercial guys." Now, if that was not a political ploy to try to get people out of the ringer over toxins getting into the food chain from toxic algal blooms, I do not know what is.

The Hon. TONY CATANZARITI: Just coming back to the consultation side, did you actually put in a submission to the Government or the department regarding your views on the marine parks?

Mr SMITH: Yes, at the time the Fishing Party was very vocal. We had public meetings about the creation of the marine parks. We invited politicians to come to those public meetings and none of that was listened to; none of the protests were listened to. The community turned up and had their say but the politicians just dismissed it.

The Hon. CHRISTINE ROBERTSON: Mr Catanzariti's question related to how much participation you had in the consultation processes that were held over a couple of years before the marine park was implemented with government representatives who were trying to get the concepts of what particular configurations within the waters would make sense to the community, the users, the environment, et cetera. That is what they were trying to balance out. Was the Fishing Party an integral part of that consultation process? Did you make submissions during that process?

Mr SMITH: We had submissions in with the department about why, as my colleague says, water quality was not taken into account rather than stopping fishing, why habitat protection was not taken into account rather than stopping fishing. The whole marine park process seemed to be just targeting fishing and nothing else took centre stage. We kept asking these questions. We kept telling people on the committees that were reporting back to us to please put in these requests on having the acid sulfate problems fixed up the North Coast where we have had these major fish kills yet that does not seem to be addressed in any protection of the biodiversity that all this marine park protection is about. We did have that input at the early stages and in the early stages I went into Macquarie Street a number of times and spoke with different politicians in the early days but it just was not listened to.

The Hon. CHRISTINE ROBERTSON: It would appear from what we have heard that the Marine Parks Authority people, the Catchment Management Authority people and fisherpersons, all those involved in the marine environment are working together, including the Department of Industry Investment, but it is very difficult. There is a lot of integrated work happening but it is not looking like that on the outside. Even though officers in the marine parks, Fisheries and the department are working together, we are not seeing that picture as a whole. The information is coming through in bits rather than as a whole. We have heard about the importance of considering habitat and water quality but that is not obvious, is it?

Mr SMITH: No. I just could not believe that those issues were not addressed. My colleague and I have been up and down the New South Wales coast. We have been to every major area where there was a problem. I have even been to places where my friend over here, Mr Cohen, has been with fish kills, but nothing has happened. Professor Leon Zann at Southern Cross University stated publicly in some reports that 50 per cent of our marine stocks on the East Coast of New South Wales have been destroyed by environmental problems.

The Hon. CHRISTINE ROBERTSON: The acid sulfate soils.

Mr SMITH: Whether it is acid sulfate soils, siltation, blocked off estuaries or whatever, those issues do not seem to have been addressed. They just say, "Let us stop the fishing, whether it is commercial or recreational fishing, and that will solve the problem." I came back from some catchment meetings yesterday where I asked that same question, "Have you solved the problem of these major fish kills?" They said, "We are talking to the cane farmers, we are talking to these people and those people, and we are doing this and that." I said, "But you have not answered my question." They said, "No." Somebody has missed the point somewhere. That is what I am trying to get across.

The Hon. CHRISTINE ROBERTSON: I do not think that your point is lost. I recognise that the catchment management authorities have not been able to wave a magic wand, but a massive amount of work is being done. Would you agree with that?

Mr SMITH: I hope that there would be. I would put up my hand to help.

Mr HENNELLY: The catchment management authorities are completely underfunded.

The Hon. CHRISTINE ROBERTSON: Do you think that they are of no use?

Mr HENNELLY: They are very good at public relations exercises. However, at present we have a massive outbreak of red spot in the Myall Lakes and the Myall River as a direct result of the road works of the Abigroup in putting through the highway. There has been no attempt to enforce the Protection of the Environment Operations Act in relation to how much sulfuric acid has escaped because of the road works, and there is no enforcement. You are quite happy to knock over blokes for fishing in a marine park, but when it comes to somebody who is putting up big bucks for the Labor Party they are let off with a caution. I call it the Babcock and Brown effect.

The Hon. CHRISTINE ROBERTSON: Very funny!

The Hon. LYNDA VOLTZ: Mr Smith, you state in your submission that there is an \$800 million turnover in New South Wales based on a \$3 billion turnover in recreational fishing in Australia. How do you arrive at that figure?

Mr SMITH: That is correct. That figure came off Commonwealth websites. Mr Truss publicly stated that at some meetings I attended. I think that information is freely available from the Commonwealth.

The Hon. LYNDA VOLTZ: How do you get the breakdown from the \$3 billion to the \$800 million?

Mr SMITH: It is a percentage of the GST return to the States.

The Hon. LYNDA VOLTZ: Sorry, the \$800 million of the \$3 billion is the New South Wales proportion.

Mr SMITH: That is a Fisheries statement.

The Hon. LYNDA VOLTZ: So NSW Fisheries is estimating \$800 million?

Mr SMITH: Yes.

The Hon. LYNDA VOLTZ: As a proportion of \$3 billion?

Mr SMITH: Yes.

The Hon. LYNDA VOLTZ: Do you have a reference for that?

Mr SMITH: I will take that question on notice and get back to you.

The Hon. LYNDA VOLTZ: I assume that you are in the group that considers fishing a sport.

Mr SMITH: Yes, I am.

The Hon. LYNDA VOLTZ: As a proportion, how would that compare with, say, the turnover in rugby league in New South Wales?

Mr SMITH: I would have to take that question on notice as I do not know.

The Hon. LYNDA VOLTZ: When we are talking about that 20 per cent figure, does every marine park have 20 per cent of their areas as sanctuary zones?

Mr SMITH: No.

The Hon. LYNDA VOLTZ: Do you know any that do?

Mr SMITH: I stand corrected. I think they do have 20 per cent of their areas as sanctuary zones.

The Hon. LYNDA VOLTZ: What proportion of Port Stephens Great Lakes Marine Park is a sanctuary zone?

Mr SMITH: I believe it is 20 per cent.

The Hon. LYNDA VOLTZ: Not 17 per cent?

Mr SMITH: It might be 17 per cent or 20 per cent, which is a pretty average figure.

The Hon. LYNDA VOLTZ: What about the Solitary Islands?

Mr SMITH: The Minister compromised with 20 per cent. He reduced it and he swapped some areas over there. I made that statement, which puts the science in a bit of a predicament.

The Hon. LYNDA VOLTZ: Which marine parks have 20 per cent of their areas as sanctuary zones?

Mr SMITH: I would have that somewhere in my notes.

The Hon. LYNDA VOLTZ: Do you know of any that do?

Mr SMITH: No, I do not.

The Hon. LYNDA VOLTZ: We were talking earlier about the consultation process and about whether or not consideration was given to issues raised by recreational fishermen. I am looking at the map of the Port Stephens Great Lakes Marine Park. Places such as Edith Break have a special blue-striped zone. I understand that the Marine Parks Authority gave consideration to requests that it received from recreational fishermen. Is that right?

Mr SMITH: Yes.

The Hon. LYNDA VOLTZ: To what does that relate?

Mr SMITH: I believe it is a trolling area. Is that correct?

The Hon. CHRISTINE ROBERTSON: Yes.

The Hon. LYNDA VOLTZ: Yes. At the back of Edith Break, Sawtooth Island and Broughton Island there are some special habitat zones. The Marine Parks Authority has given consideration to requests from recreational fishermen relating to that area.

Mr SMITH: Yes, that is correct.

The Hon. LYNDA VOLTZ: It has adjusted the area accordingly and allowed the recreational fishermen's requests.

Mr SMITH: Yes.

The Hon. LYNDA VOLTZ: Little Beach in Nelsons Bay is inside a sanctuary zone, yet there are yellow zones within those sanctuary zones that allow for recreational fishing on the beach.

Mr SMITH: That is correct. That was there before the marine park existed. There was an aquatic reserve at Halifax Park and you could fish between the ends of the two jetties. That was in place for a number of years prior to the marine park being established.

The Hon. LYNDA VOLTZ: At the back of Snapper Island, directly on the beach in the middle of the sanctuary zone, is a recreational fishing zone. Is that correct?

Mr SMITH: Yes.

The Hon. LYNDA VOLTZ: Was that done as a concession to recreational fishermen at the time?

Mr SMITH: I would hope so.

The Hon. LYNDA VOLTZ: The Marine Parks Authority probably took into account some of the concerns that were raised by recreational fishermen at the time.

Mr SMITH: I believe that it took into account some concerns that they had, yes.

The Hon. LYNDA VOLTZ: How many members does the Fishing Party have?

Mr SMITH: About 1,400.

The Hon. LYNDA VOLTZ: How many of them would be female?

Mr SMITH: About 5 per cent.

The Hon. LYNDA VOLTZ: Would it surprise you that no female recreational fishing people have come before the Committee?

Mr SMITH: Yes.

The Hon. LYNDA VOLTZ: Why would they not have come before the Committee?

Mr SMITH: I believe that the male of the species probably has a louder voice on fishing than females.

The Hon. LYNDA VOLTZ: Thank you.

Mr IAN COHEN: Mr Smith, I appreciate your rather bold statement on the politics of marine parks. In this day and age I guess everything that is done has a degree of politics in it. It is easy to be critical of these situations, but we are looking for some wins out of environmental and social access. Would you say the same things about the Great Barrier Reef Marine Park?

Mr SMITH: Yes, I would.

Mr IAN COHEN: On such a massive scale, taking into account the international tourist input and the popularity of that Australian icon, you do not believe it to be anything other than political? Your party does not accept that there are wins for conservation and for attracting people, and industries evolving as a result? We are stepping away from some of the older extractive industries that occurred in that area.

Mr SMITH: The Fishing Party believes that some areas necessarily need to be protected. We do not have any problems with the areas that are being protected. Our problem relates to all the stakeholders not interacting with one another. The Great Barrier Reef Marine Park was established because fishermen were taking too many fish off the reef. Documents have been issued—I am pretty sure that Professor Walter Starck in Queensland issued some documents—that show that, when it is all taken into consideration, the fish take from the Great Barrier Reef is about 0.7 of a kilogram per square kilometre. There are documents out that show that the worldwide acceptable take is about 7,000 kilograms per square kilometre, and that is accepted. It is a beautiful place. I would be the last person on earth who would like to see the Great Barrier Reef destroyed.

Mr IAN COHEN: I am just using that as an example. If you take your logic to that degree I am asking you whether you are negating what has been happening there. Similarly, can you see any logic in the creation of marine parks in New South Wales? You might not agree with some of the finer points or the details, but there is certainly a driver for core protection and sustainability. Ms Voltz referred earlier to concessions and I have examples further up the coast where the concessions were quite considerable. It might be only a fine yellow line, but that is where most of the fishermen are. That is where most of the average recreational people are tossing out a line, generally off the shore, even though those areas are quite sensitive. Would you not concede that that is quite a substantial concession to the interests of your organisation and to those you are representing?

Mr SMITH: I believe that there are areas that should be protected. Whether they are protected under a sanctuary zone or a habitat protection zone is a scientific argument. Let me digress here. In New South Wales we come under the Commonwealth constitutional agreement. Everybody is under the impression that we go out fishing within the three-mile zone, come home with these huge bags full of fish, and we are destroying, raping and pillaging the areas. That is not the case. NSW Fisheries has been given control over all the fishing, which goes out as far as people can go. But all the statistics and everything else are taken into account in that angler's catch when he comes back to shore. We are trying to control—

Mr IAN COHEN: Are you talking about commercial fisheries rather than recreational fishers?

Mr SMITH: No, I am talking about recreational fishers. The State has control over recreational fishing as far as you can go.

Mr IAN COHEN: I refer to the recording of recreational fishing catches. Perhaps you could explain to the Committee what sort of recording process is happening with recreational fishing? One of the complaints that has been made to the inquiry is that commercial fishers have to record their catches. I know that there are a few blurry edges but you have a line on what that catch is. The same types of requirement are not placed on recreational fishers.

Mr SMITH: That is correct. A recreational fisher who goes 20 miles offshore and comes back with five fish has his catch recorded in the same statistics as somebody who fishes in the Hastings River and catches 10 fish. That is being managed under the same State management plan, even though it is in a different zone.

Mr IAN COHEN: Mr Hennelly, I heard what you said about acid sulfate soils, land environmental impacts and the fact that marine parks are perhaps a signpost but not the deeper problem. Given that there is a lot of sympathy for that, and I know that there are a lot of issues upstream, would you not use the marine parks as a vehicle to highlight those other issues rather than fighting against them?

Mr HENNELLY: That is an excellent question. Essentially, the answer to your question is that everybody has ignored the real issues. The sulfuric acid that is coming out of the acid sulfate soils is killing the fingerlings, or the hatchlings. It takes a lot less acid to kill an adult fish. If the bottom of your population pyramid has been wiped out through sulfuric acid in the estuaries there will not be any fish. Creating an offshore marine park or turning an estuary mouth into a marine park to protect the fish will do nothing for fish stocks if they are being slaughtered by sulfuric acid in the upper reaches of the estuary in the fingerling stage of their development. You have had as an example the total disaster in the Richmond River. Ferrous monosulfate, which is partially oxidised iron sulfate moving towards sulfuric acid in the sulfurous acid state, is killing everything in the Richmond River

What has occurred is that you have a situation called contained acidity. With the contained acidity the ferrous monosulphate cannot go to sulfuric acid until such time as it gets hold of all the free oxygen in the water and continues the oxidation process. You then wind up with anaerobic water column, which kills everything. The issue with marine parks is that they are an exercise in futility if a whole estuary is going to be devastated by ferrous monosulphate and left sterile for 18 months while fish stocks and fingerling stocks endeavour to rebuild. One should remember that, in terms of the fish kill, it is a complete and utter takeout of everything that was oxygen breathing, be it shellfish, crustaceans, shrimps, prawns, fingerlings or whatever. Absolutely nothing has been done to stop this total devastation of Fisheries resources and fish stocks. Yet it is quite happy to say, "We will stop people fishing here and that will preserve fish stocks." The answer is no, not if they have been murdered in the upper reaches of your estuary through ferrous monosulphate or sulfuric acid.

It is really a case of: What is the problem, what is the solution and where is the political interest? One would have thought that water quality would have been of extreme political interest, given the attention that it has now been getting. There has been attention on water volumes on the east coast. I fear that the issue should be on water quality. If you are going to have back swamps full of ferrous monosulphate waiting for a flood to wash them down the river to turn all the water in the river anaerobic and thus kill everything in your estuary, I really do feel that the situation is disarticulated or unsynchronised in that you want to be protecting the totality of your fisheries across the board, not just the areas that are politically sensitive.

Mr IAN COHEN: If we were to give appropriate attention to those upstream impacts from development, inappropriate farming techniques and sugarcane further north and resolve those issues, would marine parks then be a relevant aspect of the overall protection of resources?

Mr HENNELLY: Given the totality of the problem—and please remember that I sat on the catchment management committee for the Myall—eight kilometres of the Myall River needed remediation because the previous geological era's bedding of the river had been eroded down and mobilised and organic phosphorus was going down into the lakes. They did a lot of work but the remediation was \$130 a running metre. It was about \$130,000 a kilometre and there were eight kilometres. You were looking at \$10 million. We had an absolute tableful of public servants and I said, "I am an economist. Go and buy up all the land with the \$10 million in the upper reaches of the Myall River and get the crims out to reafforest it." It is a very small catchment. I said, "You will not have a problem with the erosion of your riverbanks because the water will not be coming down at such a rate." Essentially, on the Myall River it is like getting a nine-litre bucket and chucking it down a boat ramp because nothing is holding the water back. There are no trees, no forests and no leaf litter and, unfortunately now, very little topsoil is left.

If you are going to turn around and say, "How do we remediate this?" it will to run into billions of dollars if it is to be done properly. I suggest that we should be treating causative agents and not symptoms. Sulfuric acid is a symptom of a sick estuarine ecosystem. I do not know whether you are going to turn around and start re-flooding areas, or whether you are going to have to turn around and install aerators so that you wind up with no contained acidity? Then you are running over, say, limestone and turning it into carbon dioxide. These issues have all been glossed over. It is astounding that funding has gone only to the bureaucracy and it has

not gone, if you like, to the front-line to deal with problems in a small estuary like the Upper Myall. In 2001 I went to a big catchment management meeting and suggested that the total bill for Coffs Harbour and the Kruell would be about \$3 billion just to get a discernible impact on water quality. I think the total budget was \$250,000.

Mr IAN COHEN: Mr Smith, in your submission you have been rather critical of the fishing licence payments—

Mr SMITH: Yes.

Mr IAN COHEN: You mentioned that earlier?

Mr SMITH: Yes.

Mr IAN COHEN: If the Government gave adequate attention to the issues raised by Mr Hennelly would you see that as a valid direction for fishing licence money to be focused? In that case, therefore, there would be a reasonable stipend for fishers, knowing that the catchments were being properly attended to.

Mr SMITH: There are a lot of issues with the fishing licence. At the moment money can be withdrawn out of current fishing licence programs to run those projects to fix bank erosions. Councils can ask for funds and grants out of the fishing licence, as long as it is a dollar-for-dollar scheme. They can rejuvenate banks by replanting mangroves but it would have to be done on a scale that would probably prohibit fishers from paying that amount of money just to go fishing, as the amount would be huge.

Mr IAN COHEN: As you are well aware, there is a significant number of fishers throughout the State. As a political party you rely on their support.

Mr SMITH: I can tell you that the Government does not know how many people go fishing.

The Hon. RICK COLLESS: Mr Smith, returning to the political statement that has already been referred to, it would be remiss of me if I did not also ask you a question about that.

Mr SMITH: Yes.

The Hon. RICK COLLESS: In relation to the declaration of the Batemans Bay and Port Stephens marine parks prior to the last election do you not think that the Australian Labor Party was attempting to shore up Greens preferences by announcing those parks at that time?

Mr SMITH: You are probably putting a red flag in front of a bull. The Fishing Party believes that the current New South Wales Government has an alliance with the Greens. They do these deals, and you cannot blame them, to shore up their chances of election. I have an article here that proves what you are going to say. Back when Mr Morris Iemma was the Premier of New South Wales he invited 126 greenies to Parliament House to tell them how good he was going to be with marine parks and how much money he was going to spend. He assured them that he would have an alliance with the Greens and that they had a great future working together. Funnily, I never got an invitation, on behalf of the recreational or the fishing side of things, to attend a similar event where Mr Iemma would say that he was going to look after our fishing.

The Hon. LYNDA VOLTZ: Would you just clarify the quote to which you were referring, as I did not quite catch it?

Mr SMITH: Back in 2005 Mr Iemma put out a press release. I have got a copy here and I can give it to you.

The Hon. LYNDA VOLTZ: You did not clarify the quote to which you were referring.

Mr SMITH: The quote?

The Hon. LYNDA VOLTZ: Yes.

Mr SMITH: Do you want me to read it?

The Hon. LYNDA VOLTZ: You referred to a quote but I did not hear to what you were referring.

CHAIR: Rather than quoting the article perhaps you could table that document and the secretariat could get a copy for us.

Mr SMITH: I will table it.

The Hon. LYNDA VOLTZ: Point of clarification: Mr Smith said that there was a press release but I was seeking clarification of what he said.

Mr SMITH: In that press release Mr Iemma said categorically to the conservation group, "We will protect the access for recreational fishing". That has not happened. They have not protected access for recreational fishing in any of the areas that they have made. I will table that document.

Document tabled.

The Hon. RICK COLLESS: Thank you for that. With respect to the lockouts or sanctuary zones that you referred to as being in the vicinity of 20 per cent, what proportion of the better quality reefs and structures in those parks do you believe that 20 per cent represents?

Mr SMITH: Most of that 20 per cent is to do with quality reefs for fishing.

The Hon. RICK COLLESS: Do you believe that of the remaining areas very little good reefs and structures are available for fishermen?

Mr SMITH: I believe that some reefs are left, but you created marine parks on a percentage basis, that is, 20 per cent. As I said earlier, in some areas 80 per cent of the area might be reef. If you attempt to lock up only 20 per cent some of those areas will still be open. My argument is: Why is the biodiversity in that area less important than it would be in the area that has been locked up? If it is all about the science and we are trying to protect biodiversity, is it not all equal if we are going on science?

The Hon. RICK COLLESS: Is it also fair to say that if 1,000 fishermen regularly use a marine park area and you turn 50 per cent of it into a sanctuary zone the fishing pressure on the other 50 per cent will be double what it was previously?

Mr SMITH: Exactly. That is the argument we put in our submissions previously relating to consultation. If you drive everybody into the corner of one paddock all the grass will die in that corner of the paddock. We believe that it would have been better to spread it out over the whole area. If there was a need to reduce bag limits, or whatever, that would be it. I am yet to see any scientific evidence to suggest that the recreational fishing of fish species in New South Wales is unsustainable. I am yet to see that anywhere.

The Hon. RICK COLLESS: Mr Hennelly, did you state earlier that you are a research officer with The Fishing Party?

Mr HENNELLY: Yes.

The Hon. RICK COLLESS: What sort of research do you do? What are your qualifications in that regard?

Mr HENNELLY: I have a Bachelor of Economics and a Diploma in Education. I have been retired since the age of 44. Originally I started off in the forest movement in the mid 1990s. I got the Forestry Commission fined \$3,000 for six breaches of the Clean Waters Act. I have quietly gone on from there. You have this massive bureaucratic infrastructure, in which I was well versed at TAFE. However, you have what is going on at the forest floor or in the estuary, which is totally removed from the committees involved in administering them. When you go back with the truth, hit them hard and demand enforcement, it can get very nasty.

The EPA fined the Forestry Commission done under the basis of the Nullum State Forest decision, which was very lovely. However, when it was a case of having raw human sewage polluting the Myall Lakes, which were class P protected waters, the EPA at Newcastle screamed, "Get out. We do not want to lose our

jobs." The Minister for the EPA was Mr Debus, the Minister for National Parks was Mr Debus, and the Attorney General was Mr Debus. There was a clear conflict of interest, if you like, structural corruption. These issues at the chalk face, the coalface, the forest floor or the estuary need to be addressed if there is going to be any credibility. But they are not being addressed by the present bureaucratic infrastructure; it is all a huge PR exercise, which is what I found with the catchment management committee.

We then had the Myall Lakes special projects committee, which I was on for 18 months—almost a full-time part-time job, which was very interesting. They came down and started to deal with the real issues. We put in a submission to the Healthy Rivers Commission and crossed swords with poor old Mr Crawford, until I produced copies of the fines and the other statutory documents that related to the statements that we were making. If you want to chase them up they are in the transcript. The issue, in many ways, is that we are endeavouring to try and get an integrated approach for fishermen but the situation is that the dichotomy and the dissynchronisation between the bureaucracy and the reality is appalling. With the Abigroup and the highway, there was a 350-millimetre downpour in something like 15 hours or something. Obviously, most of your mitigation works are not going to handle that. The Myall River was turbid, that is, it was carrying colloidal clay for six weeks. That had not happened in living memory because there had never been a disturbance like that before.

The Hon. RICK COLLESS: Did you say there was also an acid sulfate issue with that as well?

Mr HENNELLY: Yes.

The Hon. RICK COLLESS: Can I just explore that one point?

CHAIR: Very briefly, please.

The Hon. RICK COLLESS: In terms of that acid sulfate, was that a single event in relation to the road construction or was that going to be an ongoing problem?

Mr HENNELLY: If the acid sulfate soil has been exposed as a result of construction, it will be an ongoing problem. I should not say in perpetuity, but I mean a tonne of that acid sulfate soil produces thousands of litres.

The Hon. RICK COLLESS: Yes, I am aware of that. I am a soil scientist myself.

CHAIR: I will draw that line of questioning to a close. Mr Smith, assuming that marine parks remain as they are, who do you think is best placed to manage that marine environment, Fisheries or the National Parks and Wildlife Service?

Mr SMITH: The Fishing Party believes that Fisheries would be the most opportune department to handle that.

CHAIR: Thank you very much for your evidence today. Along with any questions that you took on notice during your evidence, would you agree to receive additional written questions from members of the Committee that they may not have had the opportunity to ask of you today?

Mr SMITH: Yes, we would. We believe that there are many questions still unanswered, so we would agree to that.

CHAIR: Would you again be happy to return the answers to those questions to the Committee within 21 days of you receiving them?

Mr SMITH: Yes.

(The witnesses withdrew)

PETER JAMES HEMMINGS, Member of Hat Head Bowling and Recreation Amateur Fishing Club,
, and

STANLEY MAURICE BRITTEN, Vice-President, Hat Head Bowling and Recreation Amateur Fishing Club,
, sworn and examined:

CHAIR: If you should consider at any stage that certain evidence you wish to give or documents you may wish to tender should be heard or seen only by the Committee, please indicate that fact and the Committee will consider your request. If you do take any questions on notice today the Committee would appreciate if the response to those questions could be sent to the Committee secretariat within 21 days of the date on which the questions are forwarded to you. Before the Committee commences with its questions, would either or both of you like to make a brief opening statement?

Mr HEMMINGS: Yes, thank you, Mr Chairman, I would. I would just like to say that Hat Head is a small community about an hour's drive north of here. It has approximately 300 permanent residents but that swells significantly in holiday periods to 5,000 or 6,000. I would say that the majority of those visitors, be they bay visitors or holiday-class visitors—the vast majority of those people who visit our area carry some form of recreational fishing gear with them, be it a rod-and-reel combo from Kmart right through to the biggest boats and the most sophisticated gear that you would ever see. Fishing is one of the things that economically help the village exist. I would like to think not only do we represent the members of our fishing club here today but also we represent those visitors to our area.

CHAIR: Mr Britten, would you like to make an opening statement?

Mr BRITTEN: Basically, I agree with what Peter has said. As far as fishing goes, I probably do more deep-sea fishing from Hat Head and other areas on the coast. I have had about 36 years fishing out of a little boat at various places. I have done a lot of amateur fishing; that is all there is to it. The Macleay Valley, which where Hat Head is, relies heavily on the tourist dollar and I am pleased to say that through amateur fishing in the area we get a nice sizeable income for the year from tourism, which helps the economy of the place no end. I am looking forward to being with you today and thank you very much for the invitation to be here.

Mr HEMMINGS: Could I just add to that, Mr Chairman?

CHAIR: Yes, certainly.

Mr HEMMINGS: My fishing experience is basically land-based while Maurie's is boat-based. I also thank you for the opportunity to speak here.

CHAIR: This question is to either of you. On page 2 of your submission you argue that once "site/species specific scientific evidence is presented ... there are many and varied ways of conservation and protection [of the marine environment] before total exclusion—to fishing, I assume you mean—is used as a method." Can you outline what some of these alternative methods might be?

Mr HEMMINGS: Once there is site-specific species-specific scientific proof that something needs protecting, there are many ways of protecting that area, we believe, without total exclusion. For example, if some species, maybe soft coral area, needs protection, fishing could still be allowed close to that site. It might be surface fishing or no-anchor zones, similar to no-wash zones, I guess, in some of our rivers. There are other methods of protection rather than total exclusion, we believe. I cannot think of other examples at the moment but there are various methods that should be explored before total exclusion occurs. That is our belief.

CHAIR: Do you have or have you had any periodic closures or seasonal closures in your area? Do you think they work?

Mr HEMMINGS: We do have periodic closures. They are embraced by recreational anglers. The last one I can think of was because of a big fish kill in Macleay. Fisheries actually closed it for three months. We talked to a lot of people on the ground and no-one complained about the issue of the closure because they could actually see there was evidence that it needed to happen.

The Hon. RICK COLLESS: In your submission you talk about the need for a rationalisation of government agencies in order to make more field staff available for compliance. How many compliance officers are there, that you are aware of now, and how many more do you think are needed in your area?

Mr HEMMINGS: I do not know how many compliance officers are there.

The Hon. RICK COLLESS: Do you ever see them at Hat Head?

Mr HEMMINGS: We do, because I ring up and—

The Hon. RICK COLLESS: Demand them.

Mr HEMMINGS: Not demand them but we ring up and report illegal activities from time to time. We find Fisheries staff very easy to get on with. We respect Fisheries staff and we do not mind helping Fisheries staff. However, some of the other issues we face with other marine bureaucrats or officers—

The Hon. RICK COLLESS: What agencies are you referring to there? Is it Waterways because marine parks would not go in there, would they?

Mr HEMMINGS: Marine parks do not come into Hat Head, but we have a lot of issues reported to us via our members and our visitors with authoritarian-style management of marine parks and heavy-handedness, if you like. Fisheries have our respect and support. By "our", I mean our members. Other agencies do not have that.

Mr BRITTEN: We believe there are not enough Fisheries officers and we believe that it should not be all the various departments running Fisheries marine; it should be Fisheries running the whole show, not National Parks. It should be Fisheries; they know all about it but they have a real problem. We respect Fisheries officers, but they have not got enough of them. Recently we have had the biggest run of snook and Spanish mackerel off Grassy Head, which is just north of Coffs Harbour but you access it from Macleay. There are up to 70 boats out there fishing in a square mile. I did not see one Fisheries officer there.

At the same time I was at the cooperative at Jerseyville and saw two Fisheries officers in uniform handing out brochures. I thought they would have been better placed if they were in their rubber duckie out around those boats checking on bag limits and making sure everyone was all right. I have a handicapped son called Peter, who is 47 years of age. He is a great fisherman and goes to a workshop. We fish together all the time, which is terrific. We were coming in one day at Hat Head from out to sea and Peter said, "Look, dad, look who is coming". It was the rubber duckie and it was Fisheries and a marine person too.

They inspected our fish and inspected our boat. They were both very decent to us. We had nothing to hide and they were terrific. I was pleased to see them and I said, "I wish we saw you fellows more often because the more we see Fisheries officers the more chance we have of getting rid of those people who take too many." We love the bag limits; we really do. We think bag limits are the best thing in the world. We do not like lockouts. We will talk about that later on. Thank you very much.

Mr HEMMINGS: Can I add to what we see as bureaucracies? There was an article in the Sunday before last paper. There was a tournament held in Port Stephens. The writer of that article reported that at that tournament there were Water Police, Waterways, Fisheries and the Marine Parks Authority. They were checking the various areas, I guess, of whatever it is they do. To me, that seems a bit crazy, as a normal Joe fisher, to have that many people with their vehicles and with their boats—obviously Water Police, Fisheries, Waterways and the Marine Parks Authority must have boats. To me, each of those organisations—and we can leave the police out because they do other things—must have support staff, bureaucracies, buildings, offices to live in, secretaries, whatever. As a normal thinking person, if it is all involved in the marine or aquatic environment, we would see that one, and one only bureaucracy, could perhaps look after everything.

The Hon. RICK COLLESS: Including Waterways and Fisheries?

Mr HEMMINGS: Including Waterways, yes, and because of the pyramid, for want of a better word, the support of the office space or whatever, it might be more cost-effective, hence allowing for more Fisheries officer or field staff.

The Hon. RICK COLLESS: It seems a bit silly, does it not, when the waterways people pull you up and they do not even check your fishing licence. Basically, all they are interested in is your boat registration.

Mr BRITTEN: The day that the two officers inspected our fish, there was one from Fisheries and one from the waterways authority. There were two people in the boat, but that was for safety.

The Hon. RICK COLLESS: I refer to fishing bodies and note that you make the point in your submission that recreational fishers should elect their own people to those bodies rather than have them appointed by the Minister.

Mr HEMMINGS: Yes, we made that point. The reason we made that point is that they are appointed by the Minister. Whilst they might be well meaning, it does not give them credibility because the people that they are supposed to represent did not elect them. The other thing with those representations is that in the instance of the Advisory Council on Recreational Fishing the Minister makes the decisions at the end of the day. He signs off on any funding. I am not suggesting that there is political bias but there could be seen to be some political bias because of where those funds are directed and where they go. So, yes, those people, for want of a better word, are seen as puppets of that organisation.

The Hon. RICK COLLESS: From the point of view of accountability and openness it would make a lot more sense to have the recreational fishing representative elected by the recreational fishers on that committee.

Mr HEMMINGS: I agree with that. In anything you do the people must elect their representatives. If the people are involved they are committed and work hard to try to achieve their goals. From a personal perspective, sometimes I have difficulty in comprehending where the fund allocation from our licence money is going. To me, building fish tables and measuring stations is like having a house with a hole in the roof and you go out and buy a new lounge suite. I would sooner fix the hole in the roof. The issues that I see are mostly the real threats to the aquatic environment. Fix those issues first—issues such as rehabilitation of habitat, et cetera.

CHAIR: Point of clarification: Is your club a member of any peak body or any fishing club association?

Mr BRITTEN: The New South Wales Fishing Club Association.

Mr HEMMINGS: Our club is also a member of and is affiliated with ECOfishers, yes.

Mr IAN COHEN: You suggested combining the responsibilities of NSW Fisheries, waterways and marine parks into one agency to look after the parks. I heard what you said, gentlemen. You get along well with Fisheries. It has an attitude that meshes well with your organisation. Given that we have a Marine Parks Authority, is it not just a matter of making your position known, perhaps through education, when those people react in certain circumstances? Do you really think that these are unsurmountable issues relating to a different style of bureaucracy?

Mr BRITTEN: We believe that it is overservice. We think that one organisation could do the lot; it is as simple as that. You could have two or three people doing the same job pretty well. They all have their own boats and they are all driving around. One is inspecting your flares and one is inspecting your fish. Why can the one organisation not do the lot? When I was recently inspected I had the two authorities in one boat, which I was pleased to see because it was a saving of our money. It is our money that they are spending—our licence money—and it is our taxes that are running those shows. I hate to see waste anywhere in any government body. One authority, or one organisation that is properly organised, would save the Government a heap of money.

Mr HEMMINGS: Could I add to that? You specifically mentioned the Marine Parks Authority.

Mr IAN COHEN: Yes.

Mr HEMMINGS: The reports that we have—not that it has ever happened to me—are from our members and visitors as a result of their meetings, mishaps, or whatever you want to call it, with the Marine Parks Authority. It gives us negative impressions about that authority and its heavy-handedness in how fines are issued and how everyone in a boat was fined for drifting into a sanctuary zone. You can speed through a school zone and it would cost you only \$135, and the only person who would be fined would be the driver. However, if

you are caught drifting into a sanctuary zone the Marine Parks Authority is very heavy handed. To the average fisher the management style of the Marine Parks Authority is authoritarian. Even the name "Marine Parks Authority" gives off bad vibes to the average Joe Blow in the street. It does not seem to be a body with which you could work.

Mr IAN COHEN: Do you have examples or evidence, be it of the Marine Parks Authority or the National Parks and Wildlife people and not NSW Fisheries, fining people first up?

Mr HEMMINGS: We have that evidence Because we do not yet have a marine park at Hat Head, most of our evidence comes from face-to-face meetings with people, reports in the media, et cetera. We also attend rallies and meetings where people get up and relate their experiences. In the weeks following the establishment of the Port Stephens marine park, there was a newspaper report in the *Manning River Times*, which I think is the name of the paper, that over the Christmas and New Year period 300 people were fined \$500 each for being in the marine park sanctuary zone. As a normal everyday person I find it hard to believe that 300 people knowingly and willingly went out to break the law. We might all speed. I try not to speed but, at times, I drift up over the speed limit and I accidentally break the law. I cannot believe that 300 people, holidaymakers, broke the law. There was a quote in that news clip, which I have with me somewhere, from one of the management staff of that marine park.

The Hon. CHRISTINE ROBERTSON: We would be grateful for a copy of that news clip as that is the second time that issue has come up in evidence.

CHAIR: If you have the document with you we would be grateful for a copy.

Mr HEMMINGS: It is a newspaper clipping that I have with me.

CHAIR: If you table the document, staff members will obtain a photocopy of the original and return it to you.

Mr HEMMINGS: I will do that.

Mr IAN COHEN: Your submission contains a list of negative economic effects arising from the establishment of marine parks or sanctuary zones in particular. Could you let the Committee know on what socioeconomic evidence that information was based? Have any specific studies been made, or do you have any specific examples that you could give to the Committee?

Mr HEMMINGS: As I said before, because we do not yet have a marine park in our area, all our evidence is based on what people have told us. People have spoken out at meetings. A father and son got up at a Laurieton meeting and said that they moved from the Batemans Bay area because they were locked out of their favourite fishing spots. Twelve or 18 months later they still could not sell their houses or their boats. I humbly suggest that if I were fined \$500 for drifting into a sanctuary zone that would have an economic impact on me. We have spoken to other people.

Every morning I walk my dog and I speak to people who visit our area. On one occasion a bloke and his children were fishing. I spoke to him and asked him where he was from and he said that he was from the Newcastle area. He said that he had been going to Nelsons Bay in the Port Stephens area for his holidays for years and years. He has never been fined, but because of the indistinct markings or information he had about where he could or could not fish, he does not bother going there any more. I would suggest that that would have an economic impact on that area.

That is the type of evidence we have. We have heard examples of those cases over and over again from different people—a loss of businesses and a loss of jobs. I mentioned also in our submission a letter from Tweed Bait, which was tabled at the Laurieton meeting. I do not have a copy of that letter here. Tweed Bait said that it will no longer deliver bait into marine park areas because it just cannot sell it. That could cause it to downsize its business and it also could cause job losses.

CHAIR: Could you repeat the name of that business?

Mr HEMMINGS: Tweed Bait, which is a big supplier of bait in New South Wales. That is the type of evidence we have.

The Hon. LYNDA VOLTZ: Mr Hemmings, you said earlier that there were 300 people in Hat Head. Is that right?

Mr HEMMINGS: Approximately 300.

The Hon. LYNDA VOLTZ: And there were 4,000 or 5,000 during holiday periods.

Mr HEMMINGS: That is in peak holiday times. Holidaymakers come there all the time. Hat Head is an iconic fishing destination.

The Hon. LYNDA VOLTZ: How many of those holidaymakers would have recreational fishing licences? How many would fish while they were there and how many of them hold recreational fishing licences?

Mr HEMMINGS: I would say that the vast majority does. However, I do not know the numbers. This holding of recreational fishing licences confuses me because there are licences for one year and licences for three years and there are also short-term licences. I do not know how it all equates.

The Hon. LYNDA VOLTZ: Recreational fishers go through some kind of democratic process to allocate trust fund money. In an area such as Hat Head how would you establish whether 300 locals made that decision as opposed to the 4,000 or 5,000 holidaymakers who come into the area?

Mr HEMMINGS: I do not know how you would establish the difference. Recreational fishers are a group of people who have like-minded ideals, for want of a better word. We might be different in a few aspects regarding bag limits, or how we fish—conservatively or non-conservatively. Basically the feelings seem to be the same.

The Hon. LYNDA VOLTZ: I live at Barber Park in Sydney and I hold a recreational fishing licence, mainly because I go fishing with my kids. If I were to cast a vote on where I thought recreational fishing money should be spent I might decide that it should be spent in Kariong, which is where I go for my holidays, on recreational facilities that provide the best outcome for my kids. I am not aware of the breakdown between people in the city who hold recreational fishing licences and those in certain country towns. However, I suspect that there is a significant block of people. There is some idea about the money that is collected from recreational fishing licences—at \$33 a licence—should be spent. How do you balance that against those who are contributing to recreational fishing licences?

Mr HEMMINGS: I do not know how you balance it. As an elected member I guess you go the way your constituents want you to go—whoever elected you in a particular region or area.

The Hon. LYNDA VOLTZ: I am a member of a soccer team and I pay \$330 a year to play soccer. A lot of that money goes into the maintenance of the field—the goalposts, the amenity blocks, the referees who form part of that, and the uniforms that go with it. About \$40 of that amount goes towards paying for the insurance that enables me to play on the field. The members of the local council, whom I elect as a representative and a voter in that area, are the people who decide on the allocations for those fields. How is that process different from recreational fishing? A lot of recreational fishers have said to me that it should be considered as a sport.

Mr BRITTEN: I do not understand the question.

Mr HEMMINGS: I am also trying to understand the question.

The Hon. LYNDA VOLTZ: Many people have talked about the \$33 that they are required to pay every year. Their big problem relates to the allocation of that money. There are 500,000 recreational fishing licences. We do not know where they are but they are widespread. Geographically one would have to say that a significant proportion is within the Sydney metropolitan area. Some people are concerned that some of that amount of \$33 is being spent on compliance officers. I am trying to understand how that is different from other sports.

Mr BRITTEN: The recreational fishing money is controlled by the trust.

The Hon. LYNDA VOLTZ: That is right. It is controlled by a government organisation.

Mr BRITTEN: Like we have a trust at Hat Head—which we will take as an example as we know that—and I can apply to that trust to put a roof over my cleaning table or to put a rock wall along the riverbank or something like that, and the trust will approve it. The same as someone down in the south trust can apply to the trust. It is the trust that approves; it is not the fishing people.

The Hon. LYNDA VOLTZ: That is right, but it is a government agency that approves it.

Mr BRITTEN: Yes.

The Hon. LYNDA VOLTZ: Just as if you apply for a capital assistance grant to upgrade your sporting facility, it is a government agency that will approve that as well, is it not?

Mr BRITTEN: I do not know about your sport but we have to go through the trust to get ours. The big thing is—

The Hon. LYNDA VOLTZ: No, I understand that. But I am asking you what the difference is in the process between recreational fishing as a sport, and the government revenue that is going out that is taken in, as opposed to the other sports that are also paying fees?

Mr HEMMINGS: I do not know what the difference is because I am not involved in other sports, but I am trying to get the gist of your question. Are you asking about control if recreational fishers have control over their own funding?

The Hon. LYNDA VOLTZ: I am asking two things. If you had this hugely democratic process where everyone who paid their \$33 actually in some way elected a representative, how would small communities such as Hat Head ensure that their views are represented, as opposed to a large proportion of people in the city who might elect someone else? That is one point. The second thing I am asking is, as a sporting organisation how is that allocation different to other sports?

Mr BRITTEN: Talking about who controls these things, we would love to have ACoRF come to a group. We would love to have a committee like that but we want them elected. The way we would do it, I would suggest and it is only my suggestion, is that we break the States into zones—let's say 24 or a number of zones—which will be on the mid North Coast and some in the centre, and the fishing clubs or the fishing people in those areas will elect their representatives. Those representatives will then come together and form a committee. ACoRF, as far as I can see, have little to do with the spending of recreational licence money—it goes through the fishing trust that does that. What happens now is that if you apply for money from them they say it is a good idea and up to \$5,000 there is no argument, but you have got to put \$5,000 of extra effort or extra money into it, so \$5,000 will buy \$10,000. Is that what you are trying to get at?

The Hon. LYNDA VOLTZ: No, I was just trying to—

Mr HEMMINGS: I think the answer to your question, if I have got the gist of it right, is that if that committee is elected—I guess it would be the same as walking into your party room—you as the elected representative of your area have to go and fight for what your constituents want. Therefore I would see it as a system of prioritising what would most benefit recreational fishing, and then the money spent on those priorities. Now if the main priority, for example, was trying to get rid of the toxins and heavy metals out of Sydney Harbour, and that is a big population base of recreational fishers or whatever, and that became the priority, then I guess that is where the money would be spent. The funding itself—

The Hon. LYNDA VOLTZ: That was sort of what I was getting at.

Mr HEMMINGS: The funding itself is fairly insignificant in the grand scheme of things. I think it is worth, what, about \$13.8 million or something—I would like to have it in my pocket.

The Hon. LYNDA VOLTZ: Significantly more than goes into a lot of other sports I can assure you.

Mr HEMMINGS: Okay, but I would like to have that in my pocket. In the grand scheme of things of what we are trying to achieve environmentally, with the things that affect aquatic and marine environments it is a drop in the ocean for want of a better word.

The Hon. LYNDA VOLTZ: You did say that you thought that Hat Head did not have a marine park so far.

Mr BRITTEN: That is right.

The Hon. LYNDA VOLTZ: What makes you think that the New South Wales Government is putting one there?

Mr HEMMINGS: Right now the New South Wales Government tells us they are not. There is, what we call, an extreme green movement from the National Parks Association—I see the Green senator is not here—that has produced a document called *The Torn Blue Fringe*, which I am sure you are well aware of. That document was paid for by taxpayers' money, out of the Federal Government's environment fund, and a significant amount of funding, I believe, to the National Parks Association comes from various areas of grants from government and what have you—

The Hon. CHRISTINE ROBERTSON: That is a funny organisation to receive government grants?

Mr HEMMINGS: No, it is not.

Mr BRITTEN: I have got the list of their last year's balance sheet at home if you want to see it and I will show you where the money comes from—nearly \$1 million.

Mr HEMMINGS: The things is—these people probably already know that Maurie—we have issues with some of the criteria that is mentioned in that document for wanting to close out fishers, lock-up creeks et cetera, because a lot of it is just not true. A good example is this use of the word "pristine", which to me by definition means original—original from when I do not know. Certainly one of the creeks they talk about, Korogoro Creek at Hat Head, is not pristine. It is virtually a flood channel and part of the flood mitigation system when the river is in flood. Other things that we find hard to agree with in those sorts of lobbies that are pushed forward are things like locking up sections of Lake Cathie, a significant amount of Lake Cathie—which is a waterway to the south of us just here that had a major fish kill not long ago. Locking out recreational fishermen from those areas is not going to stop the fish kills.

The Hon. CHRISTINE ROBERTSON: You are quoting from the Wilderness Society report—

Mr HEMMINGS: The National Parks Association.

Mr BRITTEN: If you have not seen that document, you should get it and read it. You will then say, "Why are we here today?"

The Hon. CHRISTINE ROBERTSON: It is not my role at all but I actually believe that the Government has not endorsed that report. I do recognise there has been an amazing misinformation campaign, deliberately led by whoever—I do not know. Within the whole spectrum of recreational fishing—and there are a few of us on this Committee who are obsessive recreational fishers.

Mr HEMMINGS: That is good.

The Hon. CHRISTINE ROBERTSON: There is a huge wad of misinformation but is there any way that you can perceive that this can be addressed, while we do recognise that for lots of reasons there is lots of political interference because you are such a big group? I do not mean to sound tricky. You are very serious members of a fishing club who may be able to give us some suggestions about getting real information out to people. In this inquiry—I mean whoever is going to read the entire transcript from this inquiry—we have heard there have been 130 penalty notices for fishing in sanctuary zones since 2007, when the Port Stephens sanctuary zone was set up. Yet twice we have heard your information—now we know at least where it came from—about the 300 on the first day that all got fined.

Mr HEMMINGS: It was not the first day. It was within the first few weeks.

The Hon. CHRISTINE ROBERTSON: That is right, the first couple of weeks.

Mr HEMMINGS: And it was over a Christmas-New Year period, which I thought was fairly significant.

The Hon. CHRISTINE ROBERTSON: It is apparently an untruth but I do not know how on earth you fix that because now it is fact in your community.

Mr HEMMINGS: Yes.

The Hon. CHRISTINE ROBERTSON: And 799 cautions have also been issued since the park opened in 2007—we were given that information yesterday. So that sort of misinformation campaign is really easy to start off and really hard to stop. As a Committee we have to make a recommendation about how to get information into the hands of the people who need to use it. Have you got any ideas?

Mr BRITTEN: That press information came from the Marine Parks Authority. They were actually boasting about their catch, I would say. They caught all these people. It is accredited to the Marine Parks Authority, so it is not misinformation. You had better go back to the authority to have a look at it because they are the ones we are getting it from. *The Torn Blue Fringe*, if you see the documentation coming from the National Parks Association, it says that document has been passed on to the Labor Government for them to peruse, we have been told it has been perused, and they are going crook because they have not had answers from that.

The Hon. CHRISTINE ROBERTSON: Funny that.

Mr BRITTEN: Yes.

The Hon. CHRISTINE ROBERTSON: Because there is no commitment from the Government.

Mr BRITTEN: And then in the latest documentation—

CHAIR: Order! You had two questions that you wanted to ask. You have asked the first question. Would you now please ask your second question?

Mr HEMMINGS: I will try and answer the first one for you. I really do not know but there are several peak bodies, I guess, that supposedly represent recreational fishers. Whether you get the information, or the correct information—and I agree with what you say: some newspapers do not let the truth get in the way of a good story—but it is what people read and what people perceive. We take our stance from the information we are given through these press releases. These recreational fishing bodies, if we can get unity within those groups—which is very hard because there are egos and all sorts of things, not unlike politics I guess—that might be one way.

The Hon. CHRISTINE ROBERTSON: Thank you for that. The other thing I am really interested in is your issue about the interstate crews coming down. That is to do with mullet fishing is it?

Mr HEMMINGS: Yes, it is mullet fishing and it is happening right now. I have not personally seen it because I have not been on the beach, but I had one colleague report to me that the day after the Anzac holiday—which would have been the Tuesday after the Monday public holiday—he counted 18 professional vehicles and boats on the beach; they fished day and night. Another colleague reported to me that there was a by-catch—she was actually close to where it was happening and she tried to save the bream that were left on the beach—and all those vehicles had Queensland numberplates. Now whether that makes them Queensland fishers or not, I do not know. We are not against commercial fishers. In fact, recreational fishers take much more than commercial fishers do. We do not fish for mullet, however. For other species recreational fishers catch more. We are against some of their actions.

The Hon. TONY CATANZARITI: You say that there is a lack of credibility in the appointments to the advisory boards or committees and the trust. In your view what groups should be on those advisory committees? Do you have a list of them?

Mr HEMMINGS: I do not have a list, and that question is sort of out of left field. We are here talking about recreational fishers but in reality a lot of the environmental issues that we have with aquatic environments and marine environments also have to do with other areas. So if those issues are addressed then maybe part of those committees might have to involve other organisations. By "other organisations" I mean people with other—

The Hon. TONY CATANZARITI: Would you be able to take that on notice and give us a list of the groups—not people's names, just the groups—that you would think would make up a good advisory committee?

Mr HEMMINGS: That is not a problem. As I sit and think about it now, I can think for example of my wife and I, we are so concerned about the marine and aquatic environments of our place that we are both elected community members on the estuary management committee and things like that, so I guess there are other groups besides recreational fishers that could be represented.

CHAIR: You mentioned that there are peak bodies in this State that you feel perhaps do not talk to each other—

Mr HEMMINGS: I know; I don't feel.

Mr BRITTEN: That is true.

CHAIR: How would you feel about a peak body, for want of a better word, that incorporated the New South Wales Fishing Clubs Association, the inland fishers, the game fishermen, the Australian National Sportfishing Association and all those current peak organisations? Do you think that would be of any value?

Mr HEMMINGS: I think it would be of great value. It would include most of the stakeholders we are talking about and there could be other stakeholders that you have not mentioned that could also be incorporated.

CHAIR: What would you recommend as a method to try and get the differences between recreational fishing and commercial fishing solved in a collegiate manner—in other words, in a worthwhile manner?

Mr HEMMINGS: It is hard to do but it has been done. In the McLeay area we had a group—I forget the name but I was one of the participants as a recreational fisher—there were professional fishermen, there were oyster growers, there was Fisheries involved in that group, and it was to do with the management of the Fisheries and what goes on in our area. That worked quite successfully for some time until it just sort of drifted.

CHAIR: That is about the third or fourth time we have heard evidence that, "There used to be" and "It did work well". In all cases the suggestion was that it was done at a local level?

Mr HEMMINGS: It was.

CHAIR: With local Fisheries people?

Mr HEMMINGS: And it was local Fisheries who organised it initially because there were all these bunfights and things going on. The local Fisheries office at South West Rocks was closed, for economic reasons we were told, and it was moved. The closest Fisheries officers we now have are at Port Macquarie and they are sometimes hard to get hold of.

CHAIR: I will now close the session. Thank you very much for coming down and giving evidence today. We realise you have had to travel. Along with any questions that you took on notice during your evidence, would you agree to receive additional written questions that members of the Committee may not have had the opportunity to ask of you today?

Mr HEMMINGS: Yes, I agree to that.

CHAIR: Would you be happy to return the answers to those questions within 21 days of receiving them?

Mr HEMMINGS: No problem.

Mr BRITTEN: We will.

CHAIR: If there are any questions the secretariat will send them to you.

Mr BRITTEN: Thank you for your time.

Mr HEMMINGS: Thank you very much.

CHAIR: If you have that newspaper article with you today, please give that to the Committee secretariat.

(The witnesses withdrew)

(Short adjournment)

LAWRENCE JOHN McENALLY, Director, Macleay River Fishermen's Cooperative, ,
, affirmed and examined:

CHAIR: Thank you for attending here today. If you should consider at any stage that certain evidence you wish to give or documents you may wish to tender should be heard or seen only by the Committee, please indicate that fact and the Committee will consider your request. If you do take any questions on notice today the Committee would appreciate if the response to those questions could be sent to the Committee secretariat within 21 days of the date on which the questions are forwarded to you. Before the Committee members commence with questions, would you like to make a brief opening statement?

Mr McENALLY: Yes, I will. Some people may know me. I have been involved in recreational fishing as a journalist since 1971 as a school leaver. On my way through the system I have held a range of fishing-related positions. I was at the Maritime Services Board as a senior officer for a long time, from the Bicentennial on. I was also the chairman of the New South Wales Rock Fishing Safety Committee. I have written 17 books on recreational fishing. You will see them around the shops, so I know what I am talking about a little bit.

I have had a unique experience of fishing in that I have been a charter boat owner has 11 years—I am now retired—I am now a commercial fisherman. I hold a commercial fishing licence for the estuary general, region 3. I am obviously a director of the cooperative. Before that, I have been a senior public servant up to executive level and regional manager north for New South Wales Maritime, so some of the questions that have been raised, if you want to bowl them up, I am happy to answer some of them. I have a lot of history in those areas and I can tell you about some of those committees that are now defunct and extinct. I can tell you a fair bit about how some of the things have come about that you seem to be delving for answers.

Firstly, I suppose I should speak to my submission, which was concerning the link between commercial fishing and recreational fishing because a lot of people forget—and again it was raised by Ms Robertson—that commercial fishing and our cooperative relies on recreational fishing for 10 per cent of its income. If it went away, we go away. We could not stand to have a 10 per cent cut in our turnover without the cooperative just failing.

The Hon. RICK COLLESS: Can I just clarify something? What you mean there is that recreational fishermen come and purchase product off you, bait and things like that?

Mr McENALLY: Yes.

The Hon. RICK COLLESS: Is that what you are referring to?

Mr McENALLY: We supply a vast amount of bait; 10 per cent of our turnover. Every time you walk into a fishing tackle shop, in the freezer there are pilchards, yellowtail, mackerel, tuna, garfish, sardines, squid, cuttlefish, pippies. They are all supplied by commercial fishermen—every ounce of it. There is obviously a bait processing side to that. You heard about Tweed Bait before; they are one of the biggest. There are five or six bait processors in New South Wales. We supply the bait processors on a wholesale basis. We supply the Sydney fish market on a wholesale-retail basis and we supply direct to people who walk in the door and buy it. We are just about to undergo a large expansion in our cooperative and we certainly will not do that if there are going to be impediments to it.

CHAIR: Please continue.

Mr McENALLY: So I wanted that link, and it is often a link that, for some reason, even our beloved DPI Fisheries Department never makes. There is probably no worse communicator in the public service than Fisheries, for whatever reason. They just do not communicate at all well. Their compliance people are good, as has been said. We get on great with our local Fisheries people but the actual policy side of things just does not get communicated at all. It is as bad an outfit as I have seen.

Recreational fishing havens have been placed above and below our cooperative. We have the Bellinger-Kalang system closed and then Deep Creek below that—although it is only tiny—but Bellinger-Kalang used to obviously have quite a few commercial fishermen working in it. Below us of course the recreational fishing haven here at Hastings River is completely closed. That has forced a lot more commercial attention onto the Macleay River.

You can compound that a little bit because some of the Coffs Harbour fishermen can no longer fish there because of restriction from the marine park. When I bought my licence only three years ago, there were just five commercial fishermen regularly making a living just doing what we do. There are now 10. We have guys drifting up from Camden Haven for one, two or three weeks. We have got guys drifting down from Scotts Head, Coffs Harbour and that area. It is just adding and adding to the pressure.

It seems that commercial fishing—the estuary general side of it—is chopped up into regions, which seems to work reasonably well. In our region, I think there are 67 fishermen who could actually come and fish in the river legally; they are spread over that region though. At the moment the Macleay has a good fishery and we are keeping a lot more pressure on. How long that is maintained for, I do not know. The Fisheries department and the various people with the fonts of knowledge have come together to make a marine park above us, recreational fishing areas around us and left us with no protection basically.

When the actual recreational fishing havens came in, six fishermen were bought out of the area but it has not been enough. It just seems that the Fisheries department needs to make a formal study of just how much pressure can be applied to each region or each fishing area. You have probably heard the same sort of thing: the Clarence River has got issues; we have got issues and further south have got issues. Somewhere, someone has to make a decision as to what happens with the volume or the number of fishermen who can work a particular area. From my point of view, all I do is trap. I trap eels that I sell live to Shanghai and Osaka and I send mud crabs to Sydney; that is all I do.

When I started I owned about 12 per cent of the netting in my area. I do not know what I own anymore, probably not much, but I do not use nets at all. That is purely a personal choice. I have a net endorsement and I can use nets, should I wish to do so. The Department of Primary Industries needs to study the effort. Subject to marine protected areas, fish rock at Green Island used to be pretty important for our cooperative for kingfish and mulloway. They are basically closed now to commercial fishing because of the regulations. Recreational fishermen can still fish there under certain rules because of the grey nurse shark issue.

In 2002 when the grey nurse shark thing came in, Fisheries told all the fishermen if we told them where all the grey nurse sharks were, nothing would happen. That has destroyed Fisheries' credibility—I will tell you why in a minute; that and a few other things. Obviously they closed lots of areas, apart from ours. The guy there said, "There are 300 or so grey nurse sharks". I said, "I am a charter boat skipper. I catch about 30 grey nurse sharks a year. Obviously we are doing no harm. They are of no use to us; no interest. They are either just broken off instantly, which we try to do or, if they are small, they get played to the boat". He just said, "No, that is not possible." I said, "I keep the stats. I run a bloody tight ship and I've got a good business." He said, "It's not possible for one charter boat to catch 10 per cent of the population." I said, "There is a population of grey nurse sharks that ranges all the way from Phillip Island off Melbourne." So from Phillip Island you can find quite a lot of them all the way north to the Great Barrier Reef. They are important only where there are commercial diving operations; which is the whole issue.

North of our area, between Scotts Head, Nambucca Heads and south of Coffs Harbour, there are dozens of grey nurse shark aggregation areas, but nobody wants to hear that. That is just how the world is. There has now been a Commonwealth study that shows there are at least 1,200 grey nurse sharks, but that is inside 20 metres, which is the diveable depth. The grey nurse shark ranges out to at least 110 metres, so there is probably four or five times that number. Getting the truth out above politics has been difficult. We would like people to know that there are a great many grey nurse sharks. Let me be honest about the grey nurse shark. We have a couple of night fishermen who hand-line mulloway. There are places that they cannot fish because the grey nurse sharks wipe them out night after night—there are that many grey nurse sharks on some of those reefs.

The main issue relates to marine parks in our town. Let me give you the statistics. When I first went there as a maritime services officer we went around to see who owned the boats and everything else. We asked our real estate people to keep statistics of people who booked a holiday. Sixty per cent of all bookings in South West Rocks were for people going fishing: they were all holiday bookings. I do not know whether or not that has changed, but that statistic was taken when I went there in 1995 or 1996. Fishing volume in South West Rocks is immense. Like Port Stephens, Narooma and Bermagui, it is one of the more famous places to go fishing and it attracts vast numbers of people to the point where we can barely cope at the boat ramp in the morning and at other places, although our facilities have improved so we are getting somewhere.

Recreational fishing adds great value to the town of South West Rocks. In fact, the town would fail without it. As I have said, I have a lot of history as I have been a government employee and a fisherman. If people want to ask me a few questions I will answer them. However, they might wish to refer, first, to my submission.

CHAIR: Thank you. I ask Committee members, when framing their questions, to note the instructions on top of their question sheets. At almost every inquiry we have asked this question of either a recreational fishing group or professional fishermen. What mechanism is available to do what you believe is needed, that is, to get the total fishery looked at and the recreational and commercial fishers cooperating to provide a better overall structure?

Mr McENALLY: In our area we had the Marine Coordination Group, which is what Maurie was speaking about earlier, which worked a treat. Unfortunately, it was unfunded. It came down to me doing most of the coordination and my wife performing the secretarial duties. We had the fisheries department on it, obviously the local NSW Maritime, the local council, the local fishing clubs and the cooperative, and the commercial and recreational interests were all represented.

CHAIR: So the two key descriptors are "local" and "unfunded"?

Mr McENALLY: Yes. At the time it was unfunded. Eventually, it began to weigh on our business. I ended up on the Estuaries Management Committee, going to council meetings, and having to write letters every second night. In the end it started to weigh on our business and we had to make a decision about whether or not to continue to let it weigh on our business or to fold it. Eventually we folded it.

CHAIR: What do you recommend should be done so that it does not continue to keep happening, which is what it appears to be doing?

Mr McENALLY: I do not know. You have to fund it somehow. You have to have someone in the area who knows how to coordinate it. Guys like Maurie, and a few others and me have gone and done it. We got great support from both waterways and NSW Fisheries. They never missed a meeting and they always followed up on anything that we asked. We got a lot done but it all comes down to funding. You have to have someone who is prepared to do the work. It is easy just to let it fold, put it that way.

CHAIR: Is it reasonable to say that waterways, Fisheries or a body such as that could provide the secretariat-type duties?

Mr McENALLY: Yes. It probably should be done by the public service.

CHAIR: You believe that it needs to be done region by region or location by location?

Mr McENALLY: That is the only way you get local cause and effect. People usually want to bat up a local problem and that is the way you do it. By having the public servants doing it, if it goes beyond your region a public servant can send it to his administrative superiors who can deal with it.

The Hon. RICK COLLESS: Mr McEnally, do any members of the Macleay Cooperative operate trawlers?

Mr McENALLY: Absolutely. We have five working prawn trawlers.

The Hon. RICK COLLESS: Do they operate in the river or out to sea?

Mr McENALLY: Out to sea as the river is closed to prawn trawlers.

The Hon. RICK COLLESS: I refer to the net structures and to the impact of trawling on by-catch. How has that changed over the past few years?

Mr McENALLY: We have net exclusion devices, or by-catch exclusion devices.

The Hon. RICK COLLESS: How do they operate? Can you explain that to the Committee?

Mr McENALLY: Yes. There is a hole in the top of the net, which usually measures 300 by 300, and a series of panels let the prawns through and exhaust the by-catch. Initially, it was developed for turtles because we could not get export licences to the United States if we did not have turtle exclusion. It was developed for the exclusion of marine turtles. It has now been developed further by putting on what are called square mesh codends. In diamond mesh the diamond draws tight under pressure. You might start off with an inch and half mesh, but it finishes up at quarter of an inch. With square mesh it starts off at an inch and a quarter and stays at an inch and a quarter. From March next year all trawlers will have to use square mesh codends. That lets out another large percentage of your by-catch. It will probably also let out a fair percentage of the prawn catch.

The Hon. RICK COLLESS: Would it let out the smaller prawns?

Mr McENALLY: Yes.

The Hon. RICK COLLESS: Ultimately, that might not be a bad thing for the fishery, might it?

Mr McENALLY: It might not. Prawns grow fast. A prawn that is just a few inches one week grows to its full size in 12 weeks.

The Hon. RICK COLLESS: How much do you estimate that the by-catch has been reduced as a result of those modifications to the net?

Mr McENALLY: I am not a trawler operator, but I would say that it would be significant—probably in the region of at least 25 per cent. That is significant.

The Hon. RICK COLLESS: Sure. You commented on commercial estuary fishers and said that they had been aggregated into different areas as a result of recreational fishing havens [RFHs] and so on.

Mr McENALLY: By RFHs and marine parks.

The Hon. RICK COLLESS: How much has that increased the take in those areas where they can still fish?

Mr McENALLY: I do not know. Let me give you my only example. When I started three years ago I could just make a living catching mud crabs—or what I call a living. I have had to go on to eels because there is too much pressure on the crab fishery. There are still plenty of mud crabs but our catch is split 10 ways instead of five ways. There are more fishermen in a more confined area. That is what will happen. You are just cutting the pie into smaller slices. Mud crabs, which are a highly renewable resource, have a maximum lifespan of about five years and they go in what are called instars. A crab might be a certain size at the end of one season. However, at the end of another season, when it grows its new shell, it will enlarge by a minimum of 40 per cent.

A nice one-kilogram mud crab is probably only 18 to 20 months old. Basically, they are marine insects, if you want the correct terminology, but they come in bursts. You will have good years when there are heaps and heaps of mud crab. Then there will be some mediocre years when you think that they have gone. Technically they have gone, but they are just waiting for another season to come in. Blue swimmer crabs, which are even more compressed, have a two-year lifecycle. When you go crabbing you have to be aware of the way in which the animal behaves and breeds.

The Hon. RICK COLLESS: Earlier you said that the fishery was split 10 ways. From an economic perspective those 10 fishermen would all be unviable.

Mr McENALLY: No, they would not; they would all be doing other things, like I am. I have branched out into eeling.

The Hon. RICK COLLESS: If they were to rely on that fishery they could not do it.

Mr McENALLY: They have gone into beach hauling, into some offshore stuff and like me they have gone into eeling, or whatever.

The Hon. RICK COLLESS: What is happening in the areas that are no longer accessible to you? Are the recreational fishermen taking most of the crabs, or is the number of crabs just building up?

Mr McENALLY: We would not know. Someone would have to study that. It should have been studied. The Department of Primary Industries should have said, "We have the Hastings River right here and the Macleay River right next to it. You should be able to drop in 20 traps over 10 nights." It would not take much to carry out a study to establish whether the crabs were bigger or whether there were more of them. The Macleay fishery has always been a far more productive fishery than the Hastings fishery, in every sense of the fishery. It is a longer, richer and more productive river, and historically that has always been so. That being the case, it does not really matter. You should be able to carry out some sort of study because crabbing is done on a trap basis. DPI could have said, "We dropped in 20 traps for 20 nights. Here are our results for the Macleay River and here are our results for the Hastings River." You should get something out of it.

I have a close friend who has lived in this area and fished there all his life. For him, the main outcome of the RFH has been more big fish. He lives on the canals and he has fished them for a long time. He said that he could always catch a feed of fish, but now he catches a lot more big fish. I do not know what has been the outcome of the RFHs. The beauty of the RFHs is that they have made the beach haulers much more profitable. All those fish that travel stay all year in the estuary and do not get touched. They move onto the beaches to spawn and they are caught in one hit rather than that being spread over 12 months.

Mr IAN COHEN: Mr McEnally, we have heard a lot of stories that are not scientifically based. I suppose that, to a degree, it is part of the culture.

Mr McENALLY: That is right.

Mr IAN COHEN: Earlier you referred to beach haulers. Some witnesses told us that commercial fishers dug holes, got the roe out of the fish and then buried them.

Mr McENALLY: That might have occurred 20 years ago.

Mr IAN COHEN: Is it that far back?

Mr McENALLY: It is a long time ago.

Mr IAN COHEN: Are there any other issues that you want to debunk because there is a lot of misinformation.

Mr McENALLY: Let us debunk one issue. Fish are too valuable to bury. At times, fishermen do catch big numbers of fish and it is hard for them to handle them.

Mr IAN COHEN: Are you talking about mullet?

Mr McENALLY: It could be mullet but two years ago it was bream. If the fish travel the guys on the beach can catch them. A beach haul fishery catches all sorts of fish. It is also an important supplier of bait. It catches garfish, whitebait and all sorts of things. At the moment the mullet are running. This year's mullet run has been the biggest run in 20 or 30 years. It has to be remembered that there are two sides to beach hauling. First, it catches a lot of fish. It looks pretty bad from a recreational point of view when you are standing on the beach and you see 10, 15 or 20 tonnes of mullet, bream or whatever being landed. It does not look that great. From the fisherman's point of view, obviously he will make some money out of it.

At the moment they are getting about 75¢ a kilogram all up for that the catch. There are males and females and they are processed at a factory in Queensland. From an environmental point of view, beach hauling results in a very small by-catch—a few bream, a few bits and pieces and a few small whiting. However, compared to, say, a prawn trawler, beach hauling has a negligible by-catch. There is targeted species that is targeted, caught, removed from the beach and sold. It does not do any environmental damage, it does not tear up weed beds, it does not destroy mangroves and it does not hurt too many small fish.

Mr IAN COHEN: On a commercial basis does that dovetail in and not interfere with recreational fisheries?

Mr McENALLY: At times it interferes with recreational fishing because of some of the techniques and tactics that are used. When there are no fish some of the guys carry out what is called potholing. They pick a

spot, shoot it and catch the ground fish that are living there. They work their way along the beach and they might catch 200 or 300 kilograms of fish to keep themselves busy for the day, which goes down very poorly with fishermen. A lot of issues are involved in our town. As Maurie said earlier, Queensland crews hold New South Wales licences.

The Hon. CHRISTINE ROBERTSON: They do have them?

Mr McENALLY: They are licensed. We should not worry about what those licences are; they have licences and they have always held New South Wales beach haul licences. However, they happen to live in Queensland and they follow the fish right along, which causes some dramas. Some of the guys do not have the best manners. Our local fellows try their best not to upset people, but there are people who do their very best to upset people. There have also been some physical exchanges.

Mr IAN COHEN: Earlier you might have referred to the grey nurse shark.

Mr McENALLY: I did.

Mr IAN COHEN: And you said that there was probably four to five times that number.

Mr McENALLY: Absolutely.

Mr IAN COHEN: That is fantastic but from where do you get your facts? How do you know so absolutely?

Mr McENALLY: I have both dived and fished. I have worked with the Commonwealth research program, with Marcus Lincoln-Smith doing the underwater photography where we are now able to identify each shark by its stop pattern. I have worked on the program. I have certainly helped him find sharks where no-one knows there are sharks—or no-one says they know.

Mr IAN COHEN: As you can appreciate a lot of statements get made and I am trying—

Mr McENALLY: Okay, let's deal in facts. Marcus Lincoln-Smith has identified 1,209 separate grey nurse sharks with his photographic work, but that has to be inside diver depth—it has to be inside 20 metres. But they have had to use, because the scuba divers scare the sharks, three divers to take most of the photographs. There you go. They had to contract a couple of Australia's best free divers, including Ian Puckeridge, to do the diving because the scuba divers scare the sharks very rapidly.

Mr IAN COHEN: What depth are we talking on free diving?

Mr McENALLY: Sixty feet—20 metres.

Mr IAN COHEN: What is the main habitat zone for grey nurse sharks?

Mr McENALLY: Hard reef, high-profile reef, with sand gutters.

Mr IAN COHEN: And what depth?

Mr McENALLY: Out to 110 metres.

Mr IAN COHEN: So you are only touching the surface, so to speak?

Mr McENALLY: Scratching the surface, yes.

Mr IAN COHEN: When you said mulloway on handlines, you have got anecdotal evidence of professional fishers having trouble in your words—

Mr McENALLY: No, not anecdotal evidence. I fish with them at night myself.

Mr IAN COHEN: How do you know it is a grey nurse?

Mr McENALLY: We bring them to the side of the boat.

Mr IAN COHEN: So you are actually capturing them?

Mr McENALLY: No, we just let them go. Like all mullet fishermen these days they use tuna circle hooks, so they are all caught on the inside—the circle hook goes inside the corner of the jaw—and they are released at the boat.

Mr IAN COHEN: What percentage would be gut hooked?

Mr McENALLY: None. A tuna circle hook cannot gut hook.

Mr IAN COHEN: Is that right?

Mr McENALLY: That is the whole idea of a tuna circle hook. It is circle. It goes down and hooks in the corner, or often in the lip area on the way out.

Mr IAN COHEN: So you have a guarantee that you are not gut hooking—

Mr McENALLY: A tuna circle hook cannot gut hook. It physically cannot do it.

Mr IAN COHEN: Okay.

Mr McENALLY: No, you can put one in your hand and you can do what you like with it but cannot hook yourself with it.

Mr IAN COHEN: Only in the corner of the mouth?

Mr McENALLY: Yes.

Mr IAN COHEN: You talked about the relationship between the commercial fishing industry, the supply of bait and the dependence of the recreational industry on the commercials. Is that message out with the recreational fishers?

Mr McENALLY: No.

Mr IAN COHEN: If not, why not?

Mr McENALLY: It is not even out with the DPI, they do not even seem to recognise it.

Mr IAN COHEN: When you are talking of a number of closures of estuarine fishing on the coastline here, are we talking primarily bait fishing there?

Mr McENALLY: No, food fishing.

Mr IAN COHEN: Food fishing?

Mr McENALLY: There is baitfish caught though.

Mr IAN COHEN: So where are the commercials and how are the commercials getting the majority of their baitfish, which is an interesting cycle of fishing for fish for fishers to fish?

Mr McENALLY: Yes, it is. Obviously pippies come from hand gatherers and beach worms come from the hand-gathering licence. Beach haulers catch sandy sprats, which are whitebait, garfish, pilchards; the ocean guys, who are netting like around Port Stephens, they are netting slimy mackerel, yellowtail and that sort of thing. It may be area specific too, like wind. Our guys off the beach net an enormous number of bonito and frigate mackerel. Further north you get guys netting pilchards and sandy sprats, as I have said. It just depends where you are.

Mr IAN COHEN: So those species you have just described are all baitfish?

Mr McENALLY: Yes, they are all baitfish and, of course, the prawn trawlers, the estuary prawn trawlers catch a lot of the small school prawns, which is marketed as a bait—Clarence River particularly, but Hawkesbury-Clarence, and Hunter River are the main ones for bait. Also the prawn trawlers at sea will catch octopus, cuttlefish and squid, some of which is bait and some of which is human food but it is graded out.

Mr IAN COHEN: But a lot of the otherwise by-catch is being recycled for bait?

Mr McENALLY: Absolutely.

Mr IAN COHEN: We heard that there was a slimy back prawn or something such as that in one of the lakes?

Mr McENALLY: Greasyback—estuary school prawn.

Mr IAN COHEN: Is that a distinct species?

Mr McENALLY: Yes because—

Mr IAN COHEN: Are the school prawns in the rivers, the small prawns, a distinct species or are we seeing a growing out of one species?

Mr McENALLY: No, both. In the estuaries you have both phases. The estuary or greasyback prawn can complete its life cycle within an estuary, it does not have to go to sea, but it usually gets flushed to sea in big numbers. But the eastern king prawn starts its life in the estuary—

Mr IAN COHEN: So they are two distinct species?

Mr McENALLY: There are about four different ones: tiger prawns; estuary-based and then out to sea; eastern king prawns, estuary based for 12 months and then out to sea, and once it goes to sea it grows like crazy. I am just trying to think what the other one is. There are at least three. There are tigers, estuary king prawns and school prawns.

Mr IAN COHEN: I am interest to know how much of the impact on fisheries is marine parks and how much is inland or estuarine pollution et cetera. Fisheries are impacted upon and obviously red spot is a big one—

Mr McENALLY: Yes, acid sulphate is an issue.

Mr IAN COHEN: —and there is something from my home territory up the North Coast in the sugarcane industry. But we have also heard evidence of the massive impact from road building and run off—

Mr McENALLY: Right, forestry clearance, land clearing.

Mr IAN COHEN: Obviously there are many other issues that have a direct impact. Some are relating it to fish kills, others are relating it to red spot and therefore non-marketable product, are other species such as prawns and suchlike unaffected?

Mr McENALLY: No, they are deadly affected. When we have a fish kill at home the first place it happens is on the Belmore River, just north of here. You will know there is a fish kill about to happen because you will see the mud crabs walking up the riverbank to get out of the water. The water is so toxic that they cannot—

Mr IAN COHEN: Are we talking about deoxygenated or are we talking specifically about the acid sulphate?

Mr McENALLY: Both.

Mr IAN COHEN: One leads to the other.

Mr McENALLY: One leads to the other; they are both intertwined. If you can tell me which kills better, I do not know. But I can tell you when the water is in that state I can put crab traps and eel traps in and they come out shiny. That will tell you what the PH is like. They will shine. It will take the rust off a crab trap.

Mr IAN COHEN: So all species—

Mr McENALLY: You will see the crabs just walking up the bank, and they will die up there, to get out that water, and all the other fish will just turn turtle.

Mr IAN COHEN: There is also impact at other times. It is not only at a major fish kill, usually after a wet weather event and the loss of oxygen—

Mr McENALLY: No, the water gets trapped behind the flood mitigation system and then for no reason we can figure they let that water go all at once. Once that water is let go down the system it is either 100 per cent deoxygenated, so once you have got water—like fish and eels can survive down to about seven parts per million, right. Everything else dies way higher. Sorry, bream, estuary bream and eel, they are the two best oxygen, they can survive in the least amount of oxygen. When they start to die that water has no viable oxygen in it. The other fish will die at 20 parts, 25 parts per million.

Mr IAN COHEN: You said you do not know why but is it not farming practices—

Mr McENALLY: It is flood mitigation.

Mr IAN COHEN: —where they are trying to clear the drainage union—

Mr McENALLY: That is from the 20s. But they are not digging any more drains.

Mr IAN COHEN: But the drains are still there.

Mr McENALLY: The drains are there and they have got gates. When they open the gates it is either deoxygenated or—

Mr IAN COHEN: So the clash between agriculture practices are still occurring—

Mr McENALLY: It is an issue.

Mr IAN COHEN: —and fisheries practices?

Mr McENALLY: It is a major issue.

Mr IAN COHEN: So why is not the fishing industry, recreational and professional, having a go like they do at the greenies—

Mr McENALLY: We are.

Mr IAN COHEN: —at the agriculture sector, for instance?

Mr McENALLY: We are.

Mr IAN COHEN: What are you doing?

Mr McENALLY: On the estuary management committee we are having a lot of rehabilitated land put back. Our people are working really hard at that. We have had the Yarrahapinii Wetlands opened to more flow. We have had gates put in with bubble, where the centre of the gate is taken out and there is a bubble valve put in and at each high tide it lets more salt water in, more salt water in and more salt water in. That is slowly helping but I do not know how we overcome the engineers and we have a big government funding for flood mitigation. So every time they get more money for flood mitigation they spend it.

CHAIR: Ms Voltz do you have any questions?

Mr McENALLY: Can I just come back very quickly to Ian to close a couple of things off?

CHAIR: Yes.

Mr McENALLY: You were talking about economic costs. Just in our group, there are eight of us go fishing every year. We used to have one fishing trip to Port Stephens, which we have told the people we will not be back, and we go a Brisbane. Another one was that we used to go to Narooma but we do not go there, we go trout fishing. Our group spends \$20,000 per year fishing. We do not spend it now where there is a marine park. That is my little close fishing group.

But on top of that, when the marine park issues were coming up my wife and I went to the Charles Darwin Institute in the Galapagos Islands. They have the longest marine park records of anyone in the world. You check there and see what happened. Nothing happened. The only fish that have increased in the marine park are epinephelus, which is your cod species, and sharks. Those two species have improved. Everything else has stayed almost static. That history dates back now to 1990. There are a lot of statistics there if you ever want to see what marine parks do and do not do. What they have had to do, of course, in order to feed themselves, they have had to go back and undo a lot of the things. A lot of the villages started to starve. So they have got a five-kilometre zone around each village now where they can fish. It is a great history if you want to see what damage you can do by just declaring an outright marine park.

The Hon. LYNDA VOLTZ: That is interesting because when we were down at Jervis Bay we received some submissions from recreational fishers in that area and some of them were reporting that they were catching bigger fish than they had ever caught and there was better stock. One skindiver in particular said he was getting lobster in greater quantities because the sanctuary zone was populated so they were going into the rock areas that were kept open, and where they traditionally go. How do you compare that with your feelings about the matter?

Mr McENALLY: I do not have an objection to marine parks. I am just saying they should be scientifically based. We have had the marine park at Coffs Harbour from 1991, I think. Solitary Islands has been there for ages. They are going to increase it now from 12 per cent to 20 per cent. Me, as a charter boat operator, when they put the extra bit on the marine park I gained heaps because people stopped going to Coffs Harbour and came to South West Rocks. Look, the marine parks have a function but they are not going to protect much of your fishery. As Ian was saying, it is more the land, what happens in the estuaries is far more important than anything that ever happens in the marine park.

The Hon. LYNDA VOLTZ: That is important and, in fact, when you look at some of the marine parks, particularly the ones around Port Stephens, it appears to me that a lot of the sanctuary zones are in the estuary areas—

Mr McENALLY: Yes.

The Hon. LYNDA VOLTZ: The rivers that are coming through—

Mr McENALLY: But protecting the fish, look at the Macleay. If you put a marine park in the Macleay River, the Macleay floods about one in every ten. In fact, it comes right into my house. I have got little marks on the wall with each year that it has come in there on it. What happens after that flood is that we get this acid sulphate or deoxygenated water. You can have all the marine parks you like but if those fish do not go to sea in that first flush of flood everything below Gladstone is dead, right down to the last worm, prawn, shrimp, sand flea, everything that lives in that river is dead.

The Hon. LYNDA VOLTZ: Yet, interestingly, in Macleay we had significant submissions from recreational fishers there about the commercial fishers.

Mr McENALLY: Yes.

The Hon. LYNDA VOLTZ: And their impacts on estuaries.

Mr McENALLY: There are a lot of commercial fishers working the Macleay River—that is a fact.

The Hon. LYNDA VOLTZ: And, in fact, most of them are calling for some kind of moratorium?

Mr McENALLY: Well, it is not a moratorium issue. It is a resource issue. Because everything has been closed north and south of the Macleay, so where are the fishermen going to fish? What the issue was, when it was done the Government should have bought out about 10 or 12 more licences, paid the people basically a fair value, and this situation would not be recurring. We asked for this and it did not happen.

The Hon. LYNDA VOLTZ: It is more a matter that in fishing there is no competitive market?

Mr McENALLY: What do you mean?

The Hon. LYNDA VOLTZ: Government buying out licences is about—

Mr McENALLY: You can buy a licence today straight out of the commercial fishing magazines. You can buy licences. There are plenty of them for sale. You can go in and buy them.

The Hon. LYNDA VOLTZ: Yes, I understand that. But what I am saying is that it is one of these arguments about regulating industries, about whether industries can self-regulate themselves or whether governments need to regulate industries and people being allowed to be competitive?

Mr McENALLY: Hang on, in my industry—and they are looking at changing it—if they change the rules to give me the chance to buy more shares—and this is where it gets complicated—without having to buy another RFO I would buy more shares, and that would take someone else out. But because they forced me to buy another RFO, which is the actual fishing licence, I would buy more shares and take out another crabber quite happily, or more shares and take out another eeler happily.

The Hon. LYNDA VOLTZ: You say the big king prawns run all year?

Mr McENALLY: Yes.

The Hon. LYNDA VOLTZ: What about the schoolies? Do they run at a specific time of year?

Mr McENALLY: Yes, with the moons.

The Hon. LYNDA VOLTZ: Yes.

Mr McENALLY: But that is a sort of force of nature thing.

The Hon. LYNDA VOLTZ: I am wondering if there is a balance in some of these estuaries they are raising concerns about—let us put aside the agricultural issues—where they are saying they want commercial fishermen out. There was a suggestion from one commercial fishermen yesterday that if he was allowed in to collect mullet at a certain time then he would not be impacting on the other species. I am wondering with prawning if there is a similar kind of model—

Mr McENALLY: Yes, it could do. You would have to ask the prawn fishermen, but for estuary prawn fishing, there are half a dozen main times a year. Look, there are things here in the Hastings where you could help. If the Hastings was opened just, say, for crabs and eels to commercial fishermen, they could make enough out of that to not have to worry. There are a lot of issues. Recreational fishing havens have been jealously guarded by a lot of people, and I can see why. With a recreational fishing haven you do not want commercial fishing in there. At the moment there is going to have to be more regulation inside the commercial sector by the department. It is showing interest but it is not doing anything, as it normally does.

The Hon. CHRISTINE ROBERTSON: When the buyouts occurred, how many of the licences were latent and how many were active?

Mr McENALLY: Three were active and all the rest were latent.

The Hon. CHRISTINE ROBERTSON: What was the full buyout?

Mr McENALLY: There were 70-odd licences. Hang on, people own five or six licences. It reads great when they issue a press release and the Minister says, "Look, this has happened and we bought out 171 licences." It is irrelevant.

The Hon. CHRISTINE ROBERTSON: We needed to have that piece of information to get a whole look at it.

Mr McENALLY: That is only my knowledge. There are other areas where they bought very active fishermen out. In our cooperative they bought out three very active fishermen and a lot of licences.

The Hon. CHRISTINE ROBERTSON: Did you have many persons in your zone being bought out from other zones and moving to your zone and buying licences?

Mr McENALLY: A little.

CHAIR: You have a long experience in fisheries, both commercial and recreational, and in the management of those fisheries. We have had witnesses talk about the multiplicity of agencies involved in managing roughly the same environment. What is your view? Do you believe that could be streamlined?

Mr McENALLY: Yes. As I have said, I have been in a senior management position at Maritime. The current position is that they could be amalgamated. Queensland and Western Australia have already done it. They have marine and fisheries combined. From an inspectorial role—do not forget that in the back room of being a public servant, if you combine the legal branch, the human resources branch, the accounts branch, the licensing branch, it is irrelevant. There are millions of dollars worth of savings because they all do the same thing. Now with Fisheries registering charter boats and Maritime with licensed fishing boats, there is so much overlap that they would hardly notice if you combined some of the branches. It would not make a scrap of difference.

CHAIR: The Government is trying to initiate its government overall licensing system?

Mr McENALLY: Yes.

CHAIR: So one could assume that in a lot of cases some of the licensing systems could be amalgamated?

Mr McENALLY: With technology, you should have one card and that should have on it your fishing licence, your boat driver's licence, your motor vehicle drivers licence. It should be one card and it should go in a reader. The technology is already there. We just have not got around to it in this State.

CHAIR: In relation to your commercial fishing area, the area that concerns you, how much further bite of effort is required to bring the fishery to a level where it is sustainable?

Mr McENALLY: I would then start speaking for other people. I cannot say, and I am the worst one to ask because I am semi-retired. I do what I do to keep me gainfully employed for four or five hours a day. There are other young people who have mortgages, kids and all the rest of them. A lot of those guys do not have a good education. That is the only thing they know. Even if you gave them 200 grand and bought them out, that is not going to last them very long. Their family situation will chew that up, so it has to be done very, very carefully.

CHAIR: Would you say that for a lot of them it is a family business?

Mr McENALLY: Absolutely.

CHAIR: And the family has been in the business for a long time?

Mr McENALLY: Absolutely, there is a lot of that, yes. Also, because they did it as a share-managed fishery instead of a quota-managed fishery, that has created problems of its own too for the department. You have people who were allowed to stay in the industry even though they do not have the minimum number of shares.

CHAIR: Thank you very much for agreeing to appear here today. Thank you for your evidence. You have been an excellent witness and you have answered the questions very clearly. I am sure that the Committee will want to send you a heap of questions to get further answers.

Mr McENALLY: They are most welcome.

CHAIR: Would you agree to return the answers to any questions you may receive within 21 days of receiving them, if possible?

Mr McENALLY: I do not have a problem with any of that.

CHAIR: We will close the hearing until 4.15 p.m. for a short deliberative meeting.

(The witness withdrew)

(Short adjournment)

WILLIAM HENRY JUDD, Member, Laurieton United Servicemens Club Fishing Club, , ,
, New South Wales, sworn and examined:

RAYMOND ARTHUR ROBINSON, President, North Haven Bowling Fishing Club, ,
, New South Wales, and

GEOFFREY CHARLES WILLIAMS, Member and Treasurer, Lake Cathie Bowling Club Fishing Club,
, , New South Wales, affirmed and examined:

CHAIR: If you consider at any time that certain evidence you wish to give or documents you may wish to tender should be heard or seen only by the Committee, please indicate that fact and the Committee will consider your request. If you take any questions on notice today the Committee would appreciate it if the responses to those questions were sent to the Committee secretariat within 21 days from the date on which they were forwarded to you. Before the Committee commences with questions would one or all of you like to make a brief opening statement?

Mr WILLIAMS: Yes. Mr Chairman and Committee members, Mr Robinson, Mr Judd and I are here today representing the five recreational fishing clubs—Laurieton United Servicemens Club Fishing Club, North Haven Bowling Club Fishing Club, Lake Cathie Bowling Club Fishing Club, Kendall Fishing Club, and Laurieton Hotel Fishing Club. They have compiled the submission that is before you today. All the abovementioned clubs totally support responsible, sustainable recreational fishing practices, and they have a high regard for the environment. We feel that the measures suggested by groups such as the National Parks Association [NPA] with regard to extreme marine parks are based only on a take-all approach, with no thought given whatsoever to achieving a solution so that all stakeholders can interact with the environment responsibly and sustainably.

We do not come here today to profess that our suggestions are the definitive answer to such a complex and far-reaching subject. However, we come here hoping that the powers that be that make the final decisions do not base those decisions purely on political preferences and unproven data. We hope that all the information supplied here today by our group and all the other groups will be processed and collated and assist in reaching a solution for a sustainable future for all to enjoy.

CHAIR: Thank you. Would anyone else like to make an opening statement?

Mr ROBINSON: No. We are all party to Mr Williams' statement.

The Hon. TONY CATANZARITI: Gentlemen, can each of you tell the Committee how many members comprise your respective clubs, and what is their primary fishing interest?

Mr JUDD: I am not sure of the membership of the Laurieton United Servicemens Club Fishing Club, as I have been there for only a very short time. So far as fishing interests go, we have inside and outside. By that I mean blue water, river and estuary. Is there anything else that you need?

The Hon. TONY CATANZARITI: As long as you are happy with that.

The Hon. CHRISTINE ROBERTSON: I thought that Laurieton was one of the biggest clubs in the State?

Mr JUDD: It could well be, but I have not been there long enough to know much about it. The president, who was supposed to be here today, is off on work commitments. I cannot help you with numbers.

Mr IAN COHEN: Perhaps you could take that question on notice.

Mr JUDD: I will take that question on notice.

Mr ROBINSON: I could probably assist you. I am President of the North Haven Bowling Club Fishing Club. Currently we have about 110 members. That is about the same average that the Laurieton club has. We seem to have about the same numbers every year when Bert and I talk about our membership level. We are the same in that we fish in blue water, estuary, rock and beach, and occasionally freshwater. We have a

pretty diverse club. We have members who fish in all those sections. They fish at home, they go and fish in other areas while they are away on holidays, but predominantly they fish at home. I think we have a broad coverage of the whole fishing spectrum in both our clubs. They are similar and they fish also in similar areas. We actually overlap in the areas in which we live.

The Hon. CHRISTINE ROBERTSON: In an friendly way?

Mr ROBINSON: In a friendly way. We also have friendly competition between ourselves. Laurieton United has a Christmas fishing competition—a Family Fishing Bonanza at Christmas time—and we have one at Easter. We tell people who come fishing on their holidays that Laurieton's competition is on at Christmas, and we remind them to go to that. As our competition is on at Easter, Bert tells them about that. We have friendly repartee between the two clubs.

Mr JUDD: A bridge divides us.

The Hon. TONY CATANZARITI: I am sure you also tell them where the best fishing spots are in each area.

Mr ROBINSON: We do that. However, some of those areas are kept strictly secret.

Mr WILLIAMS: Lake Cathie Fishing Club is just up the road from these fellows. We get out a bit of information, but not the appropriate stuff. We have approximately 100 to 120 members, and ours is a very family-oriented club. We fish in deep sea or blue water, whatever you choose, and beach, rock and estuary. We fish a bit in freshwater, but not as much as the other two clubs. As with the other clubs, we fish once a month as our club outing and we have a lot of social events throughout the year. We are associated with the Mid North Coast Fishing Club Association, which is our area. That is associated with the State body. That is about it.

Mr ROBINSON: And you run a friendly tri-angler fishing competition with us.

Mr WILLIAMS: We run a friendly tri-angler fishing competition with the clubs that are down our way.

The Hon. TONY CATANZARITI: Can each of you give us a bit of background as to how you would like to see the trust and advisory committees operating? Are you happy with what you have now, or in which way should they be operated to best suit your clubs?

Mr JUDD: When you are referring to advisory committees, I assume you mean the Advisory Council on Recreational Fishing [ACoRF] and the like?

The Hon. TONY CATANZARITI: Yes.

Mr JUDD: I have fished for 50 years of my life, and probably more. I have never spoken to, seen a representative of, or had anything to do with, any of those bodies. I can speak for these blokes collectively when I say that we would like to see more representation from fishermen, or those that are supposed to be represented by these bodies. I would also like to think that some of these people who are supposedly representing us would do just that—come out and talk to us. I would not know any of them. So far as representing us goes, it is a pretty ordinary example.

Mr ROBINSON: We are in a similar situation.

The Hon. TONY CATANZARITI: How should such a committee be formed? How would it be structured if you were given an opportunity to pick the groups?

Mr WILLIAMS: I assume that you mean up and down the coast. We could have subcommittees and then, in turn, higher committees. We could then go into an advisory committee such as this one. As a number of people said earlier, it is an enormous job. Somehow we have to come up with communication from recreational fishermen. Do you understand what I mean? We cannot say that all the people in New South Wales should answer to one area or receive advice from one area. I think you have to have subcommittees and divisions along the coast and all the information should be transferred. One would hope that it would all get through.

Mr JUDD: I think Mr Britten touched on this issue earlier. Zones would be a good idea.

Mr ROBINSON: I think people other than us could also be involved. The Australian National Sportfishing Association [ANSA] and the Game Fishing Association of Australia could have representatives in those smaller groups that pass on to the zone or State level and then up to you guys, so that you are aware of how all the different clubs operate.

CHAIR: Earlier you mentioned that all your clubs are members of a regional association that is part of the New South Wales Fishing Clubs Association. Is that right?

Mr JUDD: Yes.

CHAIR: Would that style of layered structure give you a basic model from which to ensure that information was sent to the right people?

Mr JUDD: The New South Wales Fishing Clubs Association does not represent us in relation to inquiries such as this. I think it is strictly for fishing competitions.

CHAIR: Do you know much about ANSA? Is it a similar sort of organisation?

Mr ROBINSON: I have been involved with ANSA and with the Game Fishing Association Australia. They are both for sustainable fishing in that they probably have smaller bag limits than other fisheries in Australia. Sometimes it comes down to a point where they are making rules that protect some of the fishing rather than big bag numbers. They are restricting the number and type of fish that you can weigh and things like that. They are looking out for the system.

The Hon. CHRISTINE ROBERTSON: In the competition.

Mr ROBINSON: In the competition and in the overall running of clubs that do not have competitions. They have their own fishing conventions that run under their guidelines. They are below State fisheries levels. They are also looking at the sustainability side of it. They have a pretty good representation of people who go to committees such as this. They have a really good structure—a president, a vice-president and people all the way down the line who represent different areas and zones. They have a pretty good structure and they could become involved with us.

The Hon. TONY CATANZARITI: Not every angler joins a fishing club. What would prompt someone to join your respective clubs?

Mr ROBINSON: Our club is based on a family atmosphere. We try to promote that fact by ensuring that the children are involved in all the activities. That is the main thing that is emphasised by our club. It is a family-oriented fishing club where you come to do a bit of fishing. A lot of people in the clubs do not catch any fish, but they like that friendly club atmosphere. If they are not really good at fishing sometimes they can get some pointers from people in the clubs and they might improve. They might get a flathead that they can have for dinner. Our club, which has a family atmosphere, encourages juniors. Our club is a friendly club for families and juniors.

Mr JUDD: From what I have seen of the club with which I am involved, it is pretty much the same. It is a very family-oriented club and it also encourages juniors. What more could you ask?

Mr ROBINSON: Fathers and grandfathers love taking their kids fishing. I acquired three grandsons in the past four months, so I am looking forward to taking them fishing.

The Hon. TONY CATANZARITI: Mr Williams, would your club be similar to the other clubs?

Mr WILLIAMS: We are pretty much the same. Our club is a family-oriented club. Many people join our club for the social side of it. They mix a bit of fishing with it. They learn to fish while they are in the club. We have camp-out weekends and we travel, say, to Hat Head or to other areas along the coast. The club sponsors families and one thing or another, which I think is a great thing. They are out there recreating, so to speak, and they visit other areas. They camp at places such as Hat Head. I would hate it if they were not be able to go up there to fish.

The Hon. CHRISTINE ROBERTSON: I have been told, and I want you to confirm it, that someone from the Laurieton branch or the Laurieton Fishing Club was represented on ACoRF for a while. Is that right?

Mr JUDD: Not to my knowledge. I have no idea.

The Hon. CHRISTINE ROBERTSON: The president of the Laurieton branch?

Mr ROBINSON: I do not know about that answer.

Mr JUDD: Cannot help you, sorry.

The Hon. CHRISTINE ROBERTSON: As a representative for recreational fishing?

Mr JUDD: I do not know about that.

The Hon. CHRISTINE ROBERTSON: In your submission—and we have dealt with this before today and we also received information on this yesterday—there is a statement that in the first couple weeks of the Port Stephens Marine Park being opened that 300 recreational fishers were fined \$500 each. I am not having a go at you but some reality has come forward. The manager of the Port Stephens Marine Park has said that in total 130 penalty notices for fishing in sanctuary zones have been issued since the park started in 2007 and 799 cautions. That is the statistical information they have.

I am not having a go at you because we have since found that this was published in a newspaper in a confused way. The story in the paper does not say that they were fined the \$500; it has the two messages mixed together. It is yet another example of misinformation campaigns that we have found throughout this inquiry. They have been built and people get a piece of the story and then it comes to us as fact. It is pretty obvious that there is a communication issue.

Mr ROBINSON: For sure.

The Hon. CHRISTINE ROBERTSON: Have you got any ideas on how to ensure that Government policy or whatever is happening actually gets to you? Have you any more ideas about communication? Obviously the fishing clubs are incredibly important, and I do understand from Fisheries that they do have some contact the individual clubs, but have you got any an ideas as to how the Government can ensure that information gets out to dispel these things before they turn into semi-truths?

Mr JUDD: Absolutely.

Mr ROBINSON: Yeah.

The Hon. CHRISTINE ROBERTSON: Can you tell us what that is?

Mr JUDD: Talk to us, would be a good start.

Mr ROBINSON: Club secretaries.

Mr JUDD: We have had nothing, nothing, from the current Government about any of this.

The Hon. CHRISTINE ROBERTSON: Any of what?

Mr JUDD: This inquiry into recreational fishing.

The Hon. CHRISTINE ROBERTSON: It is not my role to explain to you about this inquiry?

Mr JUDD: Well you are talking about our submission and parts of it?

The Hon. CHRISTINE ROBERTSON: No, I have registered the issues with that part and why that information has come about. We have got that information a couple of times and now we have worked through it, because they have given us a copy of the newspaper article. I am not confronting you about that piece of information. I am trying to see if you have some solid suggestions that we can put in as recommendations from

our inquiry in relation to ensuring that communication in the future actually comes through. It would appear there is a lot of political interference from all different sides—I am not saying one side or the other—like the inference that it is Green preferences that have made these massive decisions, and there is lots of political interference.

These decisions actually took years to make and certainly were outside of the political process. But this sort of information becomes fact very easily. I am not talking about that particular information. I am just asking that you as people who are on the ground, working with people who need to know the factual information, have you got any ideas that we could put forward as proposals for information transfer?

Mr WILLIAMS: I have got one. There has got to be divisions on the New South Wales coast, there is no two ways about it. You know, it is just far too big an area and far too many people, as you say, are getting wrong information. Now, surely we can have a southern, central and northern zone with a—

The Hon. CHRISTINE ROBERTSON: On the North Coast?

Mr WILLIAMS: Well, whatever, the whole New South Wales coast.

The Hon. CHRISTINE ROBERTSON: I was thinking about how you wanted to zone it?

Mr WILLIAMS: That is what I am saying. The New South Wales coastline we are talking about, because it involves everybody in New South Wales. Sure we can divide the areas up into divisions and have people there responsible to get the information out to their people. Surely that would not be too hard to set up. Does that sound feasible or is it too far-fetched?

The Hon. CHRISTINE ROBERTSON: No, that sounds pretty good. Have you got a registration process or is that sort of informal?

Mr JUDD: In the clubs?

The Hon. CHRISTINE ROBERTSON: Yes.

Mr JUDD: Yes, they are all registered.

Mr ROBINSON: What I was going to bring up was—like I spoke before about ANSA and that—ANSA would have a New South Wales secretary, the Game Fishing Association would have a New South Wales secretary, the Fishing Clubs Association of Australia would have a New South Wales secretary, and they would deal with their sub-clubs, mid North Coast, whatever. If the Government could notify those secretaries, that is one email to three or four different bodies and that would get to everybody from there.

The Hon. CHRISTINE ROBERTSON: So long as there is no political interference on the way down?

Mr ROBINSON: No, we are members of the mid North Coast of the Fishing Clubs Association of Australia [FCA] so an e-mail or whatever, press release, however you do it, to the secretary of the FCA will be passed down to the secretary of the mid North Coast and that would be sent to everyone of us in our club situation.

The Hon. CHRISTINE ROBERTSON: So you already have a bit of a division?

Mr ROBINSON: Yes. And that could go through all those bodies. There are probably more bodies than I am just mentioning. There is the Amateur Fishing Association. You might have to get a list of 10 different bodies but their secretaries would get it to the whole of New South Wales.

The Hon. CHRISTINE ROBERTSON: The other problem is the masses—and Ms Voltz might like to take this up because this is an issue she has brought up during the inquiry—of humans with fishing licences who actively fish but who have no association with the club system at all, how do you make sure that they have access?

Mr ROBINSON: They can be informed by maybe an e-mail address on their licence. When a person gets a licence it has got an e-mail address on the back and if they want any information about any rules, regulations, things come out from the Government they should look at that website.

Mr JUDD: Maybe a handout at sports stores. Most of them go to sports store in an area where they pick their licences up.

The Hon. CHRISTINE ROBERTSON: The tackle shops actually have a lot of information but a lot of people do not seem to know it is there?

Mr JUDD: Could there be some way that we give out some information like that with the licence when it is purchased?

The Hon. CHRISTINE ROBERTSON: The tackle shops have it. A lot of us now on our three-year licences are not in that process. We do not go to the tackle shop for our licences.

Mr ROBINSON: Yes, but that e-mail address could be on that card and it could also be on the little receipt you get if you go on pay at the tackle shop. Anything you need to know about the fishing industry can be set up on that email.

The Hon. CHRISTINE ROBERTSON: A lot of us are fishers you know?

Mr ROBINSON: Yes.

The Hon. LYNDA VOLTZ: How do marine parks affect your clubs?

Mr JUDD: Currently they do not.

The Hon. LYNDA VOLTZ: I assumed you were talking about Marine Park Authority in your submission when you spoke about the 300 people who were fined the \$500?

Mr ROBINSON: That is not in our area.

Mr JUDD: Yes, but that is not in our area. We make an inference to that as to what might happen here if we get lumbered with this.

The Hon. LYNDA VOLTZ: But given that you do not have marine parks in the area—

Mr JUDD: At the moment.

The Hon. LYNDA VOLTZ: And the New South Wales Government has stated it is creating no more marine parks—

Mr JUDD: When did they state that?

The Hon. LYNDA VOLTZ: The Minister has clearly said that it is not having marine parks—

Mr ROBINSON: Mr Besseling put something in the paper a couple of weeks ago relating to that.

Mr WILLIAMS: Is that State or Commonwealth laws?

The Hon. LYNDA VOLTZ: The State Government. We represent the State Government.

Mr WILLIAMS: The only thing we seen in the paper was they negated to do anything—

Mr ROBINSON: It was Federal, was it not?

Mr JUDD: Yes, it was Federal.

Mr WILLIAMS: —the Federal Government on the five-kilometre zone?

The Hon. LYNDA VOLTZ: That is Commonwealth waters. That has nothing to do with this inquiry.

Mr WILLIAMS: Okay.

The Hon. LYNDA VOLTZ: The State Government has created the marine parks that we are talking about. The State Government is not creating any more marine parks. It is kind of interesting that again it gets back to this impression. There were varying views expressed by a recreational fisherman at Jervis Bay. Some had actually seen some good things. There have been some attempts when you look at the maps in the Port Stephens area where you have a sanctuary zone, which is a no take zone, but if you look along the beach there is actually strips that are yellow, which means that recreational fishermen can go in there and fish.

So there have obviously been some attempts within these marine parks to accommodate the needs of recreational fishermen, not commercial, obviously they cannot go in, particularly in some sanctuary zones—for example, at Broughton Island the locals had input into the zoning. Do your members understand that those processes go on with their marine parks to ensure that the concerns of recreational fishermen are being looked at and accommodated within those plans?

Mr JUDD: Do we think that?

The Hon. LYNDA VOLTZ: Do you think your members understand that?

Mr JUDD: No, I do not think they understand that all. I think they are very wary of anything that is put to them like that. I have seen examples, not in this area, when marine parks have been established and once all the paperwork is finished and finalised the park is absolutely nothing like what was discussed with the people.

The Hon. LYNDA VOLTZ: Which examples are they?

Mr JUDD: Not in this area.

The Hon. LYNDA VOLTZ: For example, let me find one that is indicative to give you a rough idea and is clear for you to see. Have you seen these books on the marine parks and the marine park maps that are available? (Mr Williams nodded) You have, Mr Williams. You have never seen a copy of those?

Mr JUDD: I have never seen them.

The Hon. LYNDA VOLTZ: Maybe that is the kind of information that needs to go out to the recreational fishing groups?

Mr JUDD: Absolutely.

Mr ROBINSON: The more information the better.

The Hon. LYNDA VOLTZ: You can never have too much. You can see here on this map that the pink zone is all a no take zone. This is Snapper Island. You will see along the beach here behind Snapper Island, that yellow zone there means that recreational fishermen and fisherwomen can fish in that zone. That has obviously been put in their in consultation with local recreational fisher people?

Mr WILLIAMS: Obviously beach fishing by the look of it.

The Hon. LYNDA VOLTZ: Yes.

Mr ROBINSON: How does it affect people fishing in the ocean?

The Hon. LYNDA VOLTZ: There are some zones around islands, for example, that may have blue stripes where the recreational fisher people have said, "We get the bait from there so while you want to have it as a no fishing zone can we at least pick up our bait"?

Mr WILLIAMS: I think the whole issue there is, you picked that one as an example, you must admit that the pink zone just totally wipes out the deep-sea fishermen I am talking about in that particular area?

The Hon. LYNDA VOLTZ: You are looking at that on a very enlarged map. If you look at it in terms of—

Mr WILLIAMS: What size is it?

Mr JUDD: What is it actually protecting?

The Hon. LYNDA VOLTZ: With the zones there is a whole range of different habitats that have been protected. For example, you can see in one zone there are dots across it because that is the seagrasses and the dolphins area and it actually goes down to four-knot zones. In some areas in Jervis Bay they are protecting areas where lobsters are growing and they are spilling out into other areas. There is a whole range of them. In all those zones there are certain reefs that have been protected. I think in Jervis Bay the example was that 20 per cent of the reefs beds were protected and 80 per cent were available?

Mr JUDD: I still ask the same question: What are they protecting?

The Hon. LYNDA VOLTZ: Reef beds. In some of those areas there are estuaries where I assume they are looking at things like bass. Areas where the small bass go in and then they come back out. There are a whole range of different issues, sponge beds, lobster homes, gropers, black cod areas.

Mr ROBINSON: Black cod are already protected.

Mr WILLIAMS: What was asked earlier on that same issue was why only protect 20 per cent and leave 80 per cent there. What is that 20 per cent going to do?

The Hon. LYNDA VOLTZ: It allows species to repopulate. What you get is, when the species repopulate it becomes very populated and they get to grow out into the areas around them, which creates more stock for recreational fishers?

Mr ROBINSON: We have heard that before, have we not?

Mr WILLIAMS: I assume if that area became overgrown they would move the park to another 20 per cent of that area?

The Hon. LYNDA VOLTZ: No, not at all. That is why I wonder, given that you say they do not have any impact, you are so concerned about this? They have not impacted you and that is why I am wondering why you are so concerned about what we are protecting and why?

Mr ROBINSON: We have seen the documents.

Mr JUDD: We have seen what has happened in other areas.

The Hon. LYNDA VOLTZ: But these are the documents. I am wondering which documents you are talking about? Mr Williams said he had seen them but obviously Mr Robinson and Mr Judd had not.

Mr ROBINSON: I have seen some maps on a document that was put out by a certain party—*The Torn Blue Fringe* document.

The Hon. LYNDA VOLTZ: You are talking about a document that has been put out by a non-government organisation?

Mr ROBINSON: That is right, and it has been submitted to the Government.

The Hon. LYNDA VOLTZ: But how is that different to a submission that you have submitted to the Government?

Mr JUDD: Say that again?

The Hon. LYNDA VOLTZ: If a fishing organisation submitted a document to the Government and said that they wanted to do something, how is a documents submitted to the Government by the National Parks Association, which is not a government organisation, different to, say, the Laurieton fishing club submitting a document?

Mr WILLIAMS: For a start, we are a non-funded organisation. There is no possible way we could put out a thing.

The Hon. LYNDA VOLTZ: What if recreational fishing put out a document to government, which is a funded organisation?

Mr WILLIAMS: I would say there would be a lot more research going on.

The Hon. LYNDA VOLTZ: I am not arguing about that. I am saying you have got a non-government organisation that is put in a submission or just given a Minister a document. If another organisation gave me a document, such as a race club, that does not mean anything. It is for the Government to make those decisions. People give us documents all the time.

Mr ROBINSON: The worry would be that the documents that the other mob has put into the Government have been worked on to create some of those parks that you are talking about there.

The Hon. LYNDA VOLTZ: Not the National Parks Association. Are you sure you do not mean the National Parks and Wildlife Service?

Mr WILLIAMS: No.

Mr ROBINSON: No.

The Hon. LYNDA VOLTZ: Which National Park Association document was used?

Mr ROBINSON: That is what I am saying. The fish people are worried that it was the NPA that put out that document to create those parks like at Port Stephens and the one down at Bermagui—what is that one?

The Hon. LYNDA VOLTZ: When did the NPA put out this?

Mr ROBINSON: No, I am just saying that is the inference.

The Hon. LYNDA VOLTZ: When did the NPA put out this document?

Mr ROBINSON: *Torn Blue Fringe?* We do not know. We just hear about it, so then people get worried they are going to close down our fishing area.

The Hon. LYNDA VOLTZ: Your real concern is the misinformation of people? The information people are relating to you is hearsay information that is worrying fishermen?

Mr ROBINSON: Yes.

The Hon. LYNDA VOLTZ: There are a lot of people saying a lot of things that are getting fishermen upset?

Mr ROBINSON: Exactly, and we need to clear it up.

CHAIR: We have gone around that one long enough.

Mr IAN COHEN: Can you guys relate to the fact that, yes, there is a lobby group or in fact an individual who did that particular report, who has no standing with government whatsoever; that there have been certain political forces using that report to scare the hell out of a lot of recreational fishers, et cetera, right along the coast. I am saying this as one of your greenies. I have been pressured other ways. That little line of yellow that you see there in other marine parks, it looks small comparatively, but that is where most of the recreational fishing effort is being undertaken.

There are many examples are up and down the coast where the Government and science has made a decision and in actual fact, from my point of view, has really come across to the fishing industry. I am learning all the time, but can you relate to the fact that your organisations are being used politically and that *Torn Blue Fringe* has no official status. It is a point of view from someone on one of the fringes, if you like. It is fine to read it, but your organisations are being used—and I understand that—but can you relate to the political processes that are being undertaken here for purposes other than just getting information out?

Mr WILLIAMS: Definitely.

Mr IAN COHEN: Perhaps you could comment on that?

Mr WILLIAMS: I think you might agree with me on the adage that where there is smoke there is fire. We get a document presented before government and we get to have a look at it and all of a sudden there is mayhem.

Mr IAN COHEN: The stages of development, of debate, of all these parks and the science behind it came way before *Torn Blue Fringe*. Can you relate to that? This has not necessarily had any significant impact. Okay, where there is smoke there is fire, but there are accusations in the local media about the number of people who have been busted by over-the-top and overzealous officers. That is the fire; that is the smoke as well. As a conservationist, as a person who wants to be given a fair go and listening on this inquiry, I am really concerned that organisations are reacting. It is almost as if I had asked: Is there any way, when you are putting out information that you get in good faith, that you can somehow get the other side of the story as well, because a propaganda campaign is being run.

Mr JUDD: I fully agree, but I have to throw in a bit here: This could have been nipped in the bud by the Government if they had denied it straightaway and this was never, ever—

Mr IAN COHEN: Deny what though?

Mr JUDD: That this is not going to happen.

The Hon. RICK COLLESS: They have not disputed that.

The Hon. CHRISTINE ROBERTSON: They did, though. Your questions in the House.

The Hon. LYNDA VOLTZ: You asked questions in the House, Rick.

CHAIR: Order! The gentleman is trying to have his say.

Mr IAN COHEN: It is a difficult one because everything is about tall stories and propaganda and different organisations gaining benefit, including some mischievous questioning in the New South Wales Parliament to stir it up.

Mr JUDD: Do you think it would be fair of us to suggest or ask that governments in power at the time give us a bit of honesty about these things?

Mr IAN COHEN: I think that is a fair comment. There is the December 2009 Marine Parks Authority "Recreational Fishing in NSW marine parks", have you got that, are you familiar with it, and does it do a good job of informing? Perhaps it would be better to directly confront the Government on the material it has put out—whether it is up to scratch or not—rather than running on basically unofficial material, from all sources. I agree. I have put stuff out myself in the past.

Mr ROBINSON: Do you know how many meetings there have been up in this area between recreational fishers who have approached our local members to go to the politicians and ask them the question and we do not get an answer back. That is the thing that everybody is worried about. Whichever government is in power—I do not care who they are—they have to know that we have got concerns out here because it has been passed on to them from our representatives. All they have to do is have that system in place to notify all these fishing divisions and say, "We are not going to have any fishing marine sanctuaries that are not backed up by scientific fact, et cetera" and you will be notified before that happens and be involved in the process."

Mr IAN COHEN: They are all good points. I am not a part of the Government or the Opposition. I have a vested interest and I think you do as well, as conservationists in your own way. You need to get to a formula where you are being heard but the waters are not being muddied by propaganda campaigns by various interest groups.

Mr ROBINSON: The rumours or innuendos need to be killed or squashed; they need to be knocked on the head.

Mr IAN COHEN: Or at least a forum, I suggest, in your club magazines where you seek out the other side of the argument when the blowtorch comes that what might seem reasonable when you hear it but sometimes, as we on the committee are finding, they are quite outrageous arguments not founded on fact, and they get legs. This is not only in this inquiry or this industry; it is across the board. Do you see a way forward in establishing some formal communication in order to get both sides of the story?

Mr WILLIAMS: I think if we get the right information passed on to us as soon as possible, that will get to our people just as quick.

Mr ROBINSON: The frightening thing you hear from some of the meetings we have had that these people who bring these things up—when they bring in a sanctuary, for argument's sake—and they say, "We only have got 20 per cent of that sanctuary" but that 20 per cent is the three reefs where all the fish are caught and the other 80 per cent are the sand flats around it, so the parts of the sanctuary that are protected are the three parts where the fish are. That is why people get worried about these things.

Mr IAN COHEN: That is understandable.

Mr ROBINSON: You could have a sanctuary in your area, and it is a good thing, but three places of it could be total fish lockout and you cannot catch fish anywhere else.

Mr IAN COHEN: For example, in Jervis Bay where many people said a balance had been achieved in certain habitat protection zones, the commercial effort is being withdrawn. I was on a fishing inquiry which, I think for political purposes, never concluded. It looked at issues, particularly in the commercial fishing industry, but there was recreational fishing input also. That went a long way towards providing some understanding on how the various fishing efforts can be developed in a sustainable manner.

Mr ROBINSON: We agree with all that.

Mr IAN COHEN: You are sitting at a table talking to a greenie, believe it or not. You might like to take this on notice, but perhaps there are mechanisms where government agencies and your organisations can reach a balance so that both sides of the story can come out when something radical hits and it distresses your membership?

Mr JUDD: Absolutely.

The Hon. RICK COLLESS: Thank you, gentlemen, for coming today. I know there has been a lot of discussion about *The Torn Blue Fringe* document. Despite what other people at this table have said, I do not consider that to be a fear campaign. I would like your comments on the sorts of impositions that the document recommended in the areas where you undertake fishing? Can you each give an indication about the restrictions recommended in the document and how it will impinge on your fishing activities in your club areas?

Mr JUDD: I think it will go a lot further than that. If there were implementations from *The Torn Blue Fringe* in the Camden Haven area, you could close the towns down. Some of the areas they want to lock up are totally incredible, if it is implemented, but we have just been told that it is not going to be.

Mr IAN COHEN: It is a big if. That is where the propaganda comes in.

Mr ROBINSON: I downloaded the document off the Net and I think were about 20 pages of the short version. If they put that document out as a stir, it was 237 pages of fact and bubble.

Mr IAN COHEN: Froth and bubble.

Mr ROBINSON: Yes, but would that be put out as—what did you say before?

The Hon. LYNDA VOLTZ: Non-government organisation—

The Hon. RICK COLLESS: You have had your turn.

CHAIR: Order! A question has been asked. Allow the gentleman to answer it.

Mr ROBINSON: I just wonder with a 237-page document, how much money did it cost to create that document? Would that be put out as just trying to stir up us anglers or be put out as a thing that was going to be submitted to the Government for a proposal to close all those fishing areas?

Mr WILLIAMS: Or was it a toe in the water, so to speak, to see whether they were going to get any reaction and let us go ahead with it.

Mr ROBINSON: If there was not an uproar like there was, that probably would have gone through.

Mr IAN COHEN: Can I answer, Chair, given that they have asked the question?

CHAIR: If you are very brief.

Mr IAN COHEN: It was a document compiled by one individual primarily, who is a lawyer, who has a certain attitude that does not necessarily reflect and has no authority in terms of government and, like many other things, gets looked at and is ignored; it does not have any authority. There are things in that document that I do not agree with or the way it is presented. I ask you to please consider downgrading the level of authority of that document.

The Hon. RICK COLLESS: I would like to hear Mr Williams' response to what impact it would have on the Lake Cathie fishing area?

Mr WILLIAMS: Immense. Our little township—we like to think of ourselves as the Camden Haven area—

Mr ROBINSON: We are all one.

Mr WILLIAMS: Socially, economically but especially economically, it would be unbelievable. It is not just us fishermen but the caravan parks, retail outlets and motels; it goes on and on—a percentage of people who come to our area who actually engage in fishing and water sports because it is not just fishing that will not be allowed. That would impact on our area catastrophically. We are speaking only for our Camden Haven area, but imagine what it would do to little townships. We are in the same boat. Because of the state of our economy we sure do not need any more problems. People are trying to keep their heads above water.

We have adopted the concept of marine parks from a number of sources—*The Torn Blue Fringe* and other things that we have heard about and read in media releases, et cetera. They will definitely impact on these areas if they are considered without proper consultation, such as the consultation that is going on here today. Let us hope that all the information that is generated is put through and used in such a way that it benefits the environment and results in a sustainable industry. We have to have a sustainable industry. It must not be knocked on the head, and it can go hand in hand with the environment.

The Hon. CHRISTINE ROBERTSON: And commercial fishermen.

Mr WILLIAMS: And commercial fishermen.

The Hon. RICK COLLESS: When did you become aware of the document entitled *The Torn Blue Fringe*?

Mr WILLIAMS: There is one region in our area that is a no-go zone—a cod ground.

Mr ROBINSON: That affords protection to grey nurse sharks.

Mr WILLIAMS: That came about because of the grey nurse shark population fiasco. That commenced some eight years ago when there was talk of a 200-metre circle around one pinnacle in the ocean where the grey nurse sharks would stay and not move. That grew to a one-kilometre radius. I believe that there are very few grey nurse sharks in the area. Divers have reported seeing none. You say that these things are blowing in the wind. Reports go out, something happens, and an area is shut down. I am still sceptical of some reports in view of that cod ground fiasco. Why would we not be worried about our area after something like that occurred?

The Hon. RICK COLLESS: If you had a direct line to the Minister for the Environment what would you be advising him to do with *The Torn Blue Fringe*?

Mr ROBINSON: To light his fire with it.

Mr WILLIAMS: They used to have outhouses, did they not?

Mr IAN COHEN: You are being used. Think about it.

The Hon. RICK COLLESS: It is an important question.

Mr ROBINSON: We would like to have a meeting with him and ask him whether he has read the document and whether there is anything he would like to act upon in that document in talks with us.

Mr IAN COHEN: He probably has not even read the document.

CHAIR: Even though you are a group of young fellows, it is obvious that we have about 100 years worth of combined fishing experience.

Mr JUDD: Probably 150 years.

CHAIR: Something like that. I say to you collectively or individually: Let us take any marine park with sanctuary zones, et cetera. What other methods do you believe are available and should be used, or should have been used, to protect biodiversity other than spatial exclusion zones? As fishermen, what other conservation methods could be utilised?

Mr JUDD: We have talked and thought a lot about this over a long period. Let us get it right from the start: We are not against marine parks; we are conservationists, the same as everyone else. We are dead against lockouts. I would like to someone to tell me what lockouts are protecting, but I do not think that anyone can. Fish do not stop in one place; they swim to live. They stop and aggregate in certain places to spawn. Once they have spawned they move on. Please tell me what you are protecting?

CHAIR: Could you offer some suggestions? Let us say that you were the boss of NSW Fisheries. What sorts of methods would you use to protect, say, sporting fish?

Mr JUDD: Seasonal closures.

CHAIR: What do you think about restrictions on gear, anchoring, and those sorts of things?

Mr JUDD: There is absolutely nothing wrong with that. Certain areas that have coral and different things growing in them are greatly respected by people. If we are told not to anchor somewhere, we do not have a problem with that.

CHAIR: What methods of fishing could be used in a grey nurse shark aggregation zone that would not cause any damage to the grey nurse shark?

Mr JUDD: I have fished for 50 years. Maybe I am a crook fisherman, but I have never hooked a grey nurse shark.

Mr ROBINSON: I caught one in that cod ground. I caught one grey nurse shark but I let it go straightaway.

Mr JUDD: Fly fishing, trolling, drift fishing—

Mr ROBINSON: No anchoring and no steel tracers.

CHAIR: What about these tuna circle hooks?

Mr JUDD: They are absolutely great.

Mr ROBINSON: They are fantastic.

CHAIR: How would you go about protecting seagrass beds?

Mr WILLIAMS: No anchoring in seagrass beds and in some sensitive areas. There should be no anchoring at all. That would be the only concern for fishermen. We do not want to damage those seagrass beds or other sensitive areas.

Mr JUDD: I do not think fishermen would argue about that. If you came along and said, "Snapper are spawning for the next month and we want you to get out of the area", there would not be a problem with anything. They would rush to help you. I find it hard to believe that these sorts of things have never been put up.

Mr ROBINSON: I refer also to research and to the breeding cycles of the different types of fish, when they spawn, and banning certain sizes. There is nothing to say that the flathead have to be limited to 36 centimetres. You could keep smaller flathead than that, but you could have as a ban size the breeding size between 40 and 50 centimetres. That is the size when they spawn the most. You are not allowed to catch big flathead that are 80 centimetres long. They are like us—they are crusty old things and they lay hardly any eggs. They might lay a lot of eggs, but they are not fertile. They no longer breed or produce young ones. Those that are 40 to 50 centimetres breed two million eggs a season and they are all prime flathead. There are a number of different scientific things you could do to protect those fish for breeding purposes. That is a sanctuary, is it not?

CHAIR: What about a marine animal that is highly localised such as the crayfish or lobster? How would you protect them?

Mr WILLIAMS: I am a professional fisherman and I went lobster fishing for a few years. We found that they also migrated. It is a seasonal thing. I will not tell you the seasons but at a certain time of the year you will not catch the lobsters anywhere. They travel out to the Continental Shelf. A lobster does not confine itself to one area.

Mr JUDD: Give us some more officers to protect them.

CHAIR: We have heard evidence at previous hearings to the effect that a number of government bodies are involved in the protection, for want of a better word, of the marine environment. You have the park, the fisheries, Marine Parks Authority personnel, and other bodies that are concerned with all sorts of issues relating to the use of marine environments, such as waterways, or maritime. Is there any benefit to be gained from amalgamating those departments, or putting them all together?

Mr JUDD: Absolutely.

Mr WILLIAMS: I totally agree.

CHAIR: What sorts of benefits?

Mr JUDD: You could cut the staffing levels by 80 per cent and employ another 100 officers.

CHAIR: When you say staffing levels you are not talking about front-line staff?

Mr JUDD: No.

Mr ROBINSON: Each separate body would be talking to each other. There is not enough talking between them, which is what they should have. There is another issue with acid sulfate soils and sewage getting into the waterways. That is also a big thing for sanctuary zones. Those bodies could be involved in that.

CHAIR: Do you believe that we need more compliance officers?

Mr JUDD: Absolutely.

Mr ROBINSON: Yes.

Mr JUDD: I have fished for a long time and I was approached only once by one fishing inspector. That does not say much, does it?

The Hon. CHRISTINE ROBERTSON: We have had this discussion before.

CHAIR: Earlier Ms Voltz spoke about communication. If you increased front-line staff—I will not necessarily call them compliance officers—do you think that NSW Fisheries, or whatever the super department was, should play a role in the regions or locations and disseminate that information? If you had, say, an information or a conservation officer, or whatever you would like to call him, in Fisheries, marine parks or any other body in your area, would you see that as being of benefit?

Mr WILLIAMS: Yes.

Mr ROBINSON: I reckon that they should wear more than one hat.

CHAIR: Are you aware of the fish volunteers, which is what I think they are called? Have you ever heard of fish volunteers?

Mr ROBINSON: No.

Mr WILLIAMS: I heard about them a while back. Our club was sent a form from someone who wanted to become a fish volunteer. We have a charity day at our club. Some of them turn up there with NSW Fisheries officers when they come down to our charity day.

CHAIR: From your experience is it a good idea to have people who are not compliance officers, but who are fishermen, to talk to fishermen? For instance, should they carry out roles such as disseminating information such as the information Ms Voltz has in front of her—maps, fishing in marine parks, and all that sort of information?

Mr JUDD: Are you suggesting that someone could turn up at a fishing competition and distribute stuff?

CHAIR: Yes, or go to a barbeque.

Mr JUDD: Absolutely.

Mr ROBINSON: It is a great idea. However, if they have them now we have not seen any.

CHAIR: But at least one club has been asked whether it would like to have some, or create its own?

Mr WILLIAMS: Yes.

CHAIR: Would you support that?

Mr JUDD: Yes, absolutely.

Mr ROBINSON: People in our club might even be interested in doing it.

The Hon. LYNDA VOLTZ: When the Fisheries guys turned up with their fish volunteers did they have any information with them?

Mr WILLIAMS: The information that they brought to us on Saturday was more fisheries-type stuff.

The Hon. LYNDA VOLTZ: Bag limits and legal sizes?

Mr WILLIAMS: That is right.

Mr ROBINSON: I perform that function in my club anyway. Presidents or people in the clubs do that. I used to work at Forster and there is a Fisheries officer at Forster. I used to call in and see him and tell him that I was president of the fishing club. He used to give me the little rulers for the crabs, the plastic strips with all the fish pictures on them, the fish notebooks and all that sort of stuff. I used to take them to my meetings and hand them out to all the guys.

The Hon. CHRISTINE ROBERTSON: You are not getting them now?

Mr ROBINSON: No, I am back at Port Macquarie.

CHAIR: Only if you go and get them yourself. Is that what you are saying?

Mr ROBINSON: Yes.

The Hon. CHRISTINE ROBERTSON: They are no longer being sent to you at Port Macquarie?

Mr ROBINSON: No. But if we see the local Fisheries guys who turn up at our meetings they will give us the stuff. There is no problem there. It is just that we do not see the people you are talking about. We never see anyone. We tend to look after ourselves in that regard.

CHAIR: Some of the recreational fishers have referred to improvements to fisheries. Where you have some sort of change, like a marine park or a recreational fishing haven, it is related to the removal of commercial effort. Have any of you fished in recreational fishing havens? If so, would you like to comment on whether you have seen any improvement, no improvement, or a decline since they have been created?

Mr JUDD: Our area is one of the bad areas that has picked up all the slack from these types of things. We are coping extra professionals in the area.

CHAIR: Extra professionals?

Mr JUDD: Yes. Camden Haven is left open in a lot of areas and they all congregate there.

Mr IAN COHEN: You might need a marine park.

Mr JUDD: Absolutely.

Mr IAN COHEN: The thing is, understanding the issues you have raised and understanding the concerns, surely you can see that if you had the right consultation processes, if you had a say in the matter, that there could be developed—I will not call them marine parks—areas where you gain greater protection for the stock and the effort can be reduced maybe in the commercial sector, so there could be a future benefit, like a long-term guarantee, in terms of your resource and the protection of the environment. Theoretically that is what the Government has been looking for. There is a lot of muddy water but can you see that is a potential way forward? I am not saying declare a marine park, I am just talking about the processes and interaction that maybe has been lacking in terms of effectiveness?

Mr ROBINSON: I work with guys in Port Macquarie. Their river system has been closed for the professional fishermen. I have got reports from guys there that their fishing has improved really good, but the detriment to that is the professional fishermen who fish the rivers have a licence to fish an area say from Port Macquarie to Harrington. So when they cannot fish in Port Macquarie they move their boat down and they fish in our river, where we were not too bad before but now we have a heap of other fishermen fishing there. I think that problem could be addressed by maybe those things we have in our submission about a lockout for a breeding season maybe, or something like that. So in the breeding season the professionals cannot fish maybe a

month or two, you know. Maybe that might address that problem. It has worked in the rivers that have got the closures but to the detriment of us.

CHAIR: I call this session of the hearing to close. There will probably be a number of questions that the Committee would like to put to you on notice, because a lot of questions have not been asked around the table. Would you agree to answer any questions sent to you from the Committee?

Mr WILLIAMS: Sure.

Mr ROBINSON: Absolutely.

Mr JUDD: Yes.

CHAIR: Would you please have your replies back to the Committee secretariat within 21 days?

Mr ROBINSON: Sure.

CHAIR: I again thank you for giving up your time and the 150 years worth of experience, which we really appreciate.

Mr JUDD: Thank you for hearing us.

(The witnesses withdrew)

(Short adjournment)

KERRY JOHN O'RAFFERTY, Recreational Fisherman , , sworn and examined:

CHAIR: Thank you for coming to give evidence. If you should consider at any stage that certain evidence you wish to give or documents you may wish to tender should be heard or seen only by the Committee, please indicate that fact and the Committee will consider your request. If you do take any questions on notice today the Committee would appreciate if the response to those questions could be sent to the Committee secretariat within 21 days of the date on which the questions are forwarded to you. Before the Committee members commence with questions, would you like to make a brief opening statement?

Mr O'RAFFERTY: Thank you very much. Firstly, I thank the Committee for the opportunity to make this presentation or to speak at least. I apologise for not being able to get spiffed up; I have come straight from work, but that is the way it goes. Because of the nature of my work I have not had a huge amount of time to put a lot of structure into what I would like to say, so I am probably a little bit all over the shop. I am not here with lots of statistics or figures. I am basically here as an individual.

Aside from the fact that Beau has probably been here longer than I have, I consider myself a local of the Camden Haven, having moved here in 1980. Being in the Camden Haven for as long as I have, I have seen lots of changes and I have been a fisherman all that time, as have my sons, who have grown. We are obviously concerned at the proposal that we may no longer be able to do what we choose to do in terms of fishing and the effect that that would have on us personally and our family but, more importantly, struggle town.

Having been in the Camden Haven for as long as I have, having had several businesses, which, fortunately, have been fairly good to me, I am also very aware of the economics and the demographics of the area. Since I have been there, it has been called struggle town because the businesses are not money makers; they are businesses where people go to live, to enjoy the lifestyle of the area but to make no money. If you want to make money, you go to the big city.

For 15 years I had a real estate agency. I probably talked more people out of buying businesses in Laurieton than I did selling businesses to people because I knew that they are only going to make their \$500 or \$600 a week and have \$70,000 or \$80,000 invested in a business that was going to pay them far less than what it should have done. So the economics, the money that comes into the Camden Haven as a result of tourism and from that following on, fishing, is huge.

The financial and social impact of taking fishing away from our area will be disastrous. To that end, I have not got a lot of statistics but I did do a quick think, shall I say, of where I think these major impacts are going to be. A quick run from Dunbogan to North Haven sees—sorry—we have 14 outlets that are directly involved in retail of fishing, tackle, bait, fuel, general retail outlets for fishing-related things. We have five real estate agents. In those outlets and the real estate agents, we have 65 employees, give or take a few.

I have had a general store, I have had a real estate agency, I have had a service station and, more recently, I built and sold and now manage a retirement village. I have 54 independent living units in that retirement village and I have 83 residents. Of the 54 units I have 23 occupied by couples and of those 23 couples, 14 of the husbands are avid fishermen. Why did they come to the Camden Haven? Because of the lifestyle, the fishing, the weather and the wonderful place that it is.

So I am thinking, all these types of decisions will be impacted if we are no longer allowed to fish. I know it is not probably all that important, but I have got a grandson and he is a bonzer kid. That is him there when I took him fishing. He loves his fishing. He just loves coming out in poppy's boat—and mine is a very little, meagre boat, but he loves coming out in Poppy's boat, as do lots and lots of grandkids. I absolutely love taking him out and showing him how to do it. I would hate to think that future generations would not be able to do that.

I believe what you guys are on about is trying to reach a decision—a difficult decision at that. It is about management, balance and minimum interference. We have to maintain the socioeconomic income. We have a very low-income base in the Camden Haven. We have a demographic of largely retired people and we have a very high percentage of people involved in fishing. We need to be coming from that direction; it is very important we come from that direction rather than looking at short-term fixes for a problem that is going to continue and increase, obviously, as populations grow.

I think that with science these days, and regulation—that is where I mean balance—we can come to an agreement between recreational fisherman, obviously the lawmakers and hopefully even the commercial fishermen who are also probably very worried about the impact that this sort of rule making would have on them as well. Mine is hopefully not too much of an emotional reason for being here. When I was given the opportunity, I thought that hopefully I could maybe give a little bit of history in terms of the make-up of the area, the population, the reason for people coming to the area.

In 1980, when I bought the general store, we did a stocktake. The hardest and the longest part of the stocktake was counting the fishing gear, the sinkers and the hooks. In those days they were all individual, not packaged. That was the largest part of the stocktake. I went on to real estate. For 14 years I sold properties to, I would say, three out of four people. They were coming up here because it was a beautiful place to live and they went fishing. I then ran a service station for a few years and every second sale, when we sold petrol, we would be selling some bait and some ice. At Christmas time and tourist times, there were solid sales of bait, ice and so forth.

Earlier I touched on retirement villages. People come to the area from all sorts of places—from Wagga, Cootamundra, the Central Coast, Newcastle, Yamba and Tamworth. They come to the coast because of the lifestyle that they are offered. We need to encourage that. I believe that we are the fastest growing area on the East Coast of New South Wales at least. Decisions must be made about the future, but we must give people what they are looking for. Many years ago, when development was starting to occur in the area, Hastings council delegated the Camden Haven as an area for passive recreation. What did it mean by passive recreation? It was referring to a place to which families could go to have a low-key holiday.

Let us not have high-rise and razzle-dazzle, which is good enough in Port Macquarie; let them go to the Camden Haven for a family holiday, take their kids, hire a boat, run up and down the river, catch some fish and have one of those old-fashioned holidays. I recall having a run in with the council heritage officer. Several old fishermen's huts along the North Haven Ocean Drive called Ostlers cottages were built in the late 1940s and early 1950s. I was trying to sell one to a fellow and council would not let him make any alterations because they were heritage listed. Why would you heritage list something that was made out of fibro and a bit of wood? They were fishermen's cottages. People used to come there and stay in them and they were known as the fishermen's cottages.

Today I read something in the local paper about Laurieton again—that quaint fishing village. Let us keep it a fishing village. Let us not interfere with people's lifestyle, their quality of life and, more importantly, let us not impinge on their finances or on their businesses. That is it in a nutshell.

CHAIR: Thank you, Mr O'Rafferty. Obviously you have been in the area for a long time and you have fished for a long time. We have heard comments from other witnesses about the dislocation or relocation of the fishing effort, both commercial and recreational, because of the creation of recreational fishing havens, which exclude commercial fishermen, and because of the creation marine parks, which exclude some commercial fishing and some recreational fishing. What is your view of fish stocks, fish size and fish health in your local area over the past 30 years? Do you think it has declined, got better or remained the same?

Mr O'RAFFERTY: I find that the ocean stocks are probably a little less than what they used to be. It was nothing to run out and get a couple of fish boxes full of snapper. These days you have to work really hard to do that. Having said that, last Sunday week, my son and I went out and we got four snapper in a short time. That was all that we wanted. If we had stayed longer and we had worked a bit harder we probably could have got a few more.

CHAIR: Was that offshore?

Mr O'RAFFERTY: That was offshore. Because they were easy to catch we used to catch more than we needed. They are not as easy to catch now, so we do not spend as much time because we do not really need them. I think fishers have become a little more responsible to that end. I do not fish as regularly in the river, but I suppose that I am looking at stocks that perhaps residents in my retirement village are often boasting about. There is hardly a day that they do not come back without a catch of black fish; they are getting terrific black fish catches.

Bream and flathead are being caught in reasonable numbers. I will not say that it is as good as it was 30 years ago, but I have also seen fish stocks go through good years and bad years. That might well be as a

result of drought and climatic conditions. I do not understand the science of that sort of thing. In some years we have struggled to catch as many fish, but in the following years the fish stocks have come back again. It certainly changes and we would be catching slightly less than we were catching 30 years ago.

CHAIR: Is there any commercial effort in the Camden Haven River?

Mr O'RAFFERTY: I think one trapper runs out to sea these days. Thirty years ago there would have been 12 or 15 trawlers operating out of Laurieton. Most of them do their business at night. In Laurieton there are probably four licensed fishermen that I know who are still operating in the river.

CHAIR: What type of operation? What type of gear do they use in the river?

Mr O'RAFFERTY: They would be haul netting in the lake and not in the river.

The Hon. RICK COLLESS: In your submission you expressed some concern about the possible introduction of a marine park in the Camden Haven area. What would be the consequences of that on the fishing that occurs there now?

Mr O'RAFFERTY: Are you saying that it might stop the fishing?

The Hon. RICK COLLESS: What do you fear about it? What is your concern about the creation of that marine park?

Mr O'RAFFERTY: I am concerned that, if it becomes a marine park and fishing is prohibited, it would have an economic impact on the area. From a personal point of view, I would not be able to go fishing any more. The biggest concern is that the Camden Haven area relies very heavily on passive tourism. Every second person brings a fishing rod to town when he or she comes to visit. There will be a huge impact on our town if people no longer go there to fish, or they go elsewhere. There will be a huge impact on the dollar spend in the town.

The Hon. RICK COLLESS: Do the people of Camden Haven suspect that there is some move to create a marine park there?

Mr O'RAFFERTY: Yes. They do not suspect because obviously quite a bit has been written about it in the local *Camden Haven Courier* by the established fishing clubs and so forth to get it out there to people. I am not sure how successful that has been. In the lead-up to coming here tonight I mentioned to different people what I was doing and they said, "Oh yes, we have heard about that, but there is probably not much point in doing it as the decision has probably already been made." It is a bit scary when people's attitude is, "What is the point of wasting your breath or taking in any oxygen when the decision has already been made?" That is something that has been said to me on several occasions. I hope that that is not the case.

The Hon. RICK COLLESS: Have you ever been to the Port Stephens Great Lakes Marine Park or to Solitary Islands and fished in those areas?

Mr O'RAFFERTY: No.

The Hon. RICK COLLESS: Why not?

Mr O'RAFFERTY: I have sailed through the Solitary Islands and I have sailed past Broughton Island and Nelson Bay, in Port Stephens, but I have just not had the occasion to fish in those areas.

The Hon. RICK COLLESS: Do you understand the fishing regulations in those parks now?

Mr O'RAFFERTY: Not fully, no. Perhaps that is a good point. I have not seen a full explanation of what is proposed. Of course, if that is the case, stories will abound, as well we know. A full explanation of the proposal would put to rest a lot of the anxiety. However, that full explanation needs to be forthcoming and believable.

The Hon. RICK COLLESS: When you go out to sea how do you navigate?

Mr O'RAFFERTY: I have got marks that I have had for many years. I use a handheld GPS. Prior to the handheld GPSs you would take marks off headlands and so forth, and you would use your depth sounder to find a peak.

The Hon. RICK COLLESS: Is your GPS your main source of navigation now or do still rely on your landmarks?

Mr O'RAFFERTY: Well my son is the expert with the GPS; I still use the landmarks. There is not a lot of variation other than the fact that he can get there a little bit quicker if he is using the GPS because it will give him a straight line to follow.

The Hon. RICK COLLESS: One of the issues that has been brought out in relation to the marine parks is knowing exactly where you are, particularly in offshore situations where there are park boundaries around. The suggestion has been made that the software providers of these machines should be incorporating the marine park layer into their software so it automatically come up on your GPS as you are heading out to sea. Do you see that as a good idea?

Mr O'RAFFERTY: If the marine park is delegated I would suggest that is a great idea, because it avoids the room for error. I see no problems with that, providing we do not have to go like five kilometres to sea.

Mr IAN COHEN: Where did you actually get the information that marine parks lockout fishermen?

Mr O'RAFFERTY: Largely hearsay and what I have read, what is passed through the local *Hamden Haven Courier*, local papers, and that is probably—

Mr IAN COHEN: A little better than hearsay really is it not, in the media pushing a certain line, selling a story?

Mr O'RAFFERTY: Well, that is media.

Mr IAN COHEN: I am not a member of the Government so I am not defending the Government here, but I am very interested in what I am hearing during this inquiry, but have you got any information from government departments? For example, in December 2009 the Marine Parks Authority published a document titled "Recreational Fishing in Marine Parks", have you seen that information at all?

Mr O'RAFFERTY: No.

Mr IAN COHEN: You have stated pretty clearly that you are worried that marine parks mean you are no longer allowed to fish, a lockout situation. Are you aware of the different grades in the marine parks—the sanctuary zones, the general purposes zones and the habitat protection zones?

Mr O'RAFFERTY: I am not aware specifically of them. I am generally aware that there are grades and zoning and so forth. I am not aware of what is proposed for the Camden Haven, in terms of what grade.

Mr IAN COHEN: What if I said that the Government has not got plans to establish new marine parks at this point in time, that they are actually working on getting it right or hosing down, if you like, the issues with the existing marine parks?

Mr O'RAFFERTY: If you said that?

Mr IAN COHEN: Yes.

Mr O'RAFFERTY: I think one of the major issues is, yes, the lack of understanding and the lack of information and, perhaps, the National Parks Association as I understand it, who are largely pushing for the marine park—a gain, second hand from larger associations—I understand has been remiss, or not remiss but not particularly forthcoming with their actual proposal, or what is actually proposed—

Mr IAN COHEN: When you hear National Parks Association do you associate that with an official government body?

Mr O'RAFFERTY: No, I do not. I know it is not part of an official government body, but it obviously has the ear of the Government.

Mr IAN COHEN: Does it?

Mr O'RAFFERTY: I would imagine it would do.

Mr IAN COHEN: Where do you get that information from?

Mr O'RAFFERTY: Anybody that is representing a particular issue would have the ear of the Government, as would the recreational fishers and so forth.

Mr IAN COHEN: The recreational fishers, professional fishing lobby, the Shooters Party, the Fishing Party, they all have some degree of access, would you not agree?

Mr O'RAFFERTY: Absolutely.

Mr IAN COHEN: In part of your introduction you acknowledged that fish stocks are not quite the same as what they were?

Mr O'RAFFERTY: Correct.

Mr IAN COHEN: Would you feel comfortable in saying that if we continue as we are, with what is obviously a growing tourism population and a growing residential population—you are pretty aware of that from being a real estate agent—do you think with the declining fish numbers is there not a threat to the sustainability of the overall production of fish in this environment?

Mr O'RAFFERTY: It would be interesting to see in the next, let us say, 5 to 10 years, because we have far less fishing particularly offshore at the moment, what recovery happens to fish stocks. Internally, in the lakes, we now have fishermen from Port Macquarie and there were some from south as well, because there fisheries were restricted, fishing out of the lakes locally so there are probably a few more people trying to get some fish out of there. Yes, fish stocks need to be managed.

Mr IAN COHEN: So there needs to be some degree of regulation?

Mr O'RAFFERTY: Absolutely.

Mr IAN COHEN: You are comfortable that government bodies in concert with local interest groups, such as your angling groups and suchlike, would work on that regulation?

Mr O'RAFFERTY: Yes.

Mr IAN COHEN: As long as we do not call it a marine park?

Mr O'RAFFERTY: Call it what you like providing we are not unreasonably stopping recreational fishing and probably, to a sustainable degree, commercial fishing?

Mr IAN COHEN: Sustainability, commercial and recreational fishing, but other than your second-hand information and your impression of the document *The Torn Blue Fringe*, it sounds as if you are not in disagreement with the need to keep an eye on fish stocks and sustainability of stocks, habitat, all those basic conservation needs?

Mr O'RAFFERTY: Absolutely.

Mr IAN COHEN: All those things in order to maintain a successful industry. So if you were convinced that that was what was being attempted by authorities, would that take away some of the fear and anger, if you were to be convinced that there was going to be sustainability and continuing access to fishing activities?

Mr O'RAFFERTY: Yes.

Mr IAN COHEN: When they were sustainable. In other words, there might be closures in unsustainable situations?

Mr O'RAFFERTY: Yes.

Mr IAN COHEN: Does not that really lend itself to what the Government is trying to do because we are facing a bit of a revolution from laissez-faire, yes, the fishing issue is the last sort of escape, which is great no regulation, to the need for a regulated industry to some degree?

Mr O'RAFFERTY: So long as it is not a knee-jerk reaction as a last resort.

Mr IAN COHEN: Sure, based on science and proven rather than based on politics?

Mr O'RAFFERTY: Absolutely.

Mr IAN COHEN: You would agree with that.

Mr O'RAFFERTY: We have got Jervis Bay—

Mr IAN COHEN: Have you been down there in recent times?

Mr O'RAFFERTY: Not in recent times.

Mr IAN COHEN: The Committee was down there and certainly from my point of view it is a magnificent place, it is getting a huge tourist input, and supporting a huge number of jobs in fishing, tourism etc, and it seems that a fair few people are happy down there?

Mr O'RAFFERTY: Right.

Mr IAN COHEN: So perhaps that as the model could be something that could be looked at, as long as it is not a knee-jerk reaction?

Mr O'RAFFERTY: Yes, based on science, as we said.

CHAIR: Are you a member of any fishing club?

The Hon. LYNDA VOLTZ: Because you have spoken about Broughton Island can I do show you this map. That is Broughton Island there. The yellow areas are where recreational fishermen can fish. The blue areas are where commercial fishing is allowed. The pink areas are the sanctuary coves. That area off Broughton Island that is crisscrossed, which you probably cannot see from where you are sitting, actually allows recreational fishermen to troll in certain seasons, and there are some blue hashed areas as well that allow recreational fishermen to fish with lures in those areas. When you look at an area such as that around Broughton Island, which is an area I understand that you know having sailed past it, is that the sort of balance that you think recreational fishermen would understand is a good balance to accommodate their needs?

Mr O'RAFFERTY: Well from looking at that, and assuming I have got my—

The Hon. LYNDA VOLTZ: I am happy to pass it to you. So recreational fishermen can fish in the yellow zones, the pink areas are sanctuary zones or no take zones, the blue hash bit is where you can fish with a plastic lure, and the crisscrossed is where recreational fishermen are allowed to troll during certain seasons. From looking at that map do think that is the kind of balance that recreational fishermen, who are interested in balancing the environment, would think is an acceptable balance?

Mr O'RAFFERTY: The blue area, which is accessible to commercial fishermen—

The Hon. LYNDA VOLTZ: Blue can be commercial, yes.

Mr O'RAFFERTY: Can also be accessed by recreational fishermen?

The Hon. LYNDA VOLTZ: Yes. Yellow can only be accessed by recreational fishermen, the pink is a no take zone, the blue hash is recreational fishermen can fish with lures; the crisscrossed bit does not allow commercial only recreational in season for trolling?

Mr O'RAFFERTY: Is this what is enforced in Port Stephens?

The Hon. LYNDA VOLTZ: Yes.

Mr O'RAFFERTY: I do not have a problem with that.

The Hon. LYNDA VOLTZ: If you wanted to go fishing down there and you know it is a marine park area, do you know how to access the information?

Mr O'RAFFERTY: If I were to go fishing there?

The Hon. LYNDA VOLTZ: If you wanted to go fishing there would you know where to go to?

Mr O'RAFFERTY: I would be going to the Fisheries website.

The Hon. LYNDA VOLTZ: And having a look there?

Mr O'RAFFERTY: Yes.

The Hon. LYNDA VOLTZ: I am wondering about your concerns with the NPA and its access to Government. Why would people be more concerned about the NPA's access to Government when an organisation such as the NRMA gives the Government submissions all the time on things it wants the Government to do that the Government does not necessarily want to do them? I notice a lot of recreational fishermen for some reason have this NPA submission, which I quite frankly had never heard of before, and given in Government we get lots of submissions from lots of organisations why is there such a lot of concern by recreational fishermen about this one in particular?

Mr O'RAFFERTY: As I understand it, the proposal or a proposal for a no-fishing zone was done up by the NPA, which became knowledge to the local fishing groups. That in itself was okay but they were not able to get any information from them relevant to just what was proposed. I think that is probably where the whole thing started to fall apart. Yes, there would be an assumed affiliation NPA and NPWS—

The Hon. LYNDA VOLTZ: That is what I suspect, people are confusing the National Parks and Wildlife Service with the National Parks Association, which is a non-government organisation?

Mr O'RAFFERTY: Non-government office?

Mr IAN COHEN: Non-government organisation—completely separate.

Mr O'RAFFERTY: Yes, it is probably important that that be certainly stressed, that it is not affiliated and does not have more clout or get a better hearing than anybody else.

The Hon. LYNDA VOLTZ: Earlier Maurie Britten from the Hat Head Bowling and Recreation Club Amateur Fishing Club said that Peter Besseling had put out a press release stating that there would be no marine parks, and the Government was not considering one. Why do you think that is not getting through to the local newspapers?

Mr O'RAFFERTY: Well, it did, but as I read it that was the Commonwealth Government's proposal.

The Hon. LYNDA VOLTZ: Would that not have come from Rob Oakshott, the Federal member, as opposed to Peter Besseling, the State member?

Mr O'RAFFERTY: Peter is the State member?

The Hon. LYNDA VOLTZ: Yes.

Mr O'RAFFERTY: Yes, and it was in the local paper. Indeed, it was even on local television.

The Hon. LYNDA VOLTZ: People just did not equate Peter Besseling's statements with the—

Mr O'RAFFERTY: Peter has relayed what the Commonwealth Government proposal was and they have made a decision not to pursue their particular one at this point in time. But it was never my understanding that the State Government's proposal was part of what that press release indicated. I understood to be the Commonwealth Government's proposal and not the State Government's proposal that was announced.

The Hon. LYNDA VOLTZ: So there is a Commonwealth Government proposal and a National Parks Association submission, is that so? These things may all be getting tied up together.

Mr O'RAFFERTY: Possibly. That was easy enough, I suppose.

The Hon. LYNDA VOLTZ: Yes, it is pretty easy.

The Hon. CHRISTINE ROBERTSON: There is a review process for marine parks currently underway, structured into the legislation five years after its introduction. Solitary Islands and Jervis Bay are currently undergoing this process, so a lot of the initial scientific information has been collected. It will then go out to the community where there will be more feedback and the necessary changes will be made. As this official review process will be evidence-based, do you think this will be a way to develop more scientific bases, not just for the marine park proposals but also for marine environmental studies? We keep hearing that there is not enough science. Do you believe this part of the process could increase the science base? Is there an opportunity for that and could we make recommendations to ensure that the reviews contain more technical information? Would that be a positive outcome?

Mr O'RAFFERTY: You can always get a bit top-heavy with technical information of course. It is not rocket science that if you stop fishing, the fish stocks will increase. I have seen that firsthand. I have a boat on Lake Macquarie and I have seen the fish stocks, not I do not catch very many down there; I must always be in the wrong spot.

The Hon. CHRISTINE ROBERTSON: They are different, are they not; they are recreational fishing permits or something.

Mr O'RAFFERTY: Since the commercial fishing has stopped in Lake Macquarie, the fish stocks have certainly increased. As I say, I am not catching them myself but the word of mouth is. How long has this been in place now—three years?

The Hon. CHRISTINE ROBERTSON: They are doing a review now, so it is five years?

Mr O'RAFFERTY: It is five years; time goes quickly.

The Hon. CHRISTINE ROBERTSON: It was 2007.

The Hon. LYNDA VOLTZ: Not Port Stephens, Jervis Bay.

The Hon. CHRISTINE ROBERTSON: Jervis Bay, I am talking about.

Mr O'RAFFERTY: Jervis Bay.

The Hon. CHRISTINE ROBERTSON: Jervis Bay and Solitary Islands. Port Stephens is not ready for its review yet; it has not had its time factor.

Mr O'RAFFERTY: If the results are there and everybody can cohabit successfully and amenably, well the science is showing that it can be done and the fish stocks are sustainable, the recreational fisherman is still getting his lines wet, the money is still being spent—and Jervis Bay would be a very similar environment economically, I would imagine, to what the Camden Haven is—yes, but it needs to be based on that. Well, here we are, we have done it for five years and here are the results of what we have done; here is how it has impacted

on the sustainability of the fish stock, but the dollars have either stopped or halted or were slowly coming back into the area.

The Hon. CHRISTINE ROBERTSON: We also heard that while that was going on and they have been collecting more information for the review process, they have done much more intensive mapping of the seabed than originally, so there will be much more technical data. One problem with the inquiry is that we are being told that there is no science, there is science or that people do not agree with the science. It is difficult not to produce something with the technical data so that people can see. Perhaps there needs to be two sets of report mechanisms.

Mr O'RAFFERTY: The technical side of it certainly goes over my head, but, to simplify it: We have what we call the fish attraction device [FAD], which is located at couple of kilometres offshore. That is exactly what it is supposed to be—a fish attraction device, and it works. I certainly get catches there on a regular basis. I suppose if you can attract fish from their breeding ground so that you still have the catch but you are not interfering with their breeding ground, then everyone is happy, I suppose.

CHAIR: That is a good point.

The Hon. CHRISTINE ROBERTSON: This is a communication issue, but it is getting bigger, that is, ensuring that policy in action and reality actually get to the community so that it is not so easy for these fear things to grow disproportionately, recognising that individual newspapers across country New South Wales are running their own lines. How can we increase communication? We have had suggestions to do it through the fishing club process but many persons who are fishers are not affiliated with fishing clubs? Do you have any ideas about communication?

Mr O'RAFFERTY: A lot of local papers often will have a fishing column in them and you could access the sponsoring of doing that particular section. How you do it by way of a press release, who is doing a press release and where the information is coming from so as to establish and maintain that credibility and get the story out clearly—individual clubs and associations often can put their own slant on things and have their own agenda that they want to push, and so they slant it accordingly. If the information that gets out there is indeed correct and comes from a source that ultimately will make the decision—the decision may not necessarily be made yet but the information that is being assimilated and looked at is then given back to the public—

The Hon. CHRISTINE ROBERTSON: Sent out.

Mr O'RAFFERTY: There are a lot of fishing clubs and a lot of people are in fishing clubs. Certainly in my area there are probably three or four different clubs. There are a lot of fishermen out there who, like myself, just get a bit of a hearsay, a bit of the second-hand news and think, "Hang on, this is scary". I do not know who would put the information in the column. I think we have all stayed in a motel somewhere and the first thing you do when you go to a town is to look at the local paper and have a read through it.

When I was in real estate I would put an advertisement in and put one or two words or maybe a whole house upside down. Within hours the following day the phone would be ringing with people telling me they have stuffed my advertisement up again. That is because I used to do it occasionally to see who reads the paper and everybody in a local town reads the local paper. That is your best way to get the information out there.

CHAIR: That is a good idea.

The Hon. TONY CATANZARITI: I understood you to say that you are not a member of any of the fishing clubs. How do you rely on getting information? Where do you get your information from?

Mr O'RAFFERTY: I have one particular staff member who is an avid fisherman, who reads everything that crosses his desk. He is a member of a fishing club and he makes sure that I know everything that is happening because he knows that I am keen to fish. As I said, I read the local paper. I am a sailor so I tend to read sailing magazines. There is a publication called *Afloat*. I do not know if any of you are familiar with it. It is a free publication, which is generally distributed in boatsheds and so forth. It is a small publication and it is very well read.

The Hon. TONY CATANZARITI: As you said, quite a few fishermen do not belong to clubs. Do they rely on websites and things like that or, basically, what you have done?

Mr O'RAFFERTY: In this area, the demographics of a large percentage of those fishermen would be retired folk. I am desperately trying to teach them how to use computers in my retirement village at the moment and that is not where you go to get through to them. I know it is very frustrating but that is not an area that is going to be overcome quickly. It needs to be print media, I believe.

The Hon. TONY CATANZARITI: I do not mind if you do not answer this, but is there any reason why you have not joined a fishing club?

Mr O'RAFFERTY: I have done my time being organised by clubs and being presidents of clubs and what have you. I am over that these days. I do not have a lot of free time and therefore I cannot participate in club things that are organised and so forth.

CHAIR: You are actually a bit of a rare bird as far as this inquiry is concerned because most of the witnesses we have had to date, and I suspect the high majority of the submissions have been from fishers—I am talking about the recreational side of the submissions—are members of clubs or associations. To talk to someone who does not have the easy availability of those information chains is quite enlightening. Do you buy a three-year licence or a one-year licence? What do you normally buy?

Mr O'RAFFERTY: A one-year licence. Having said that, I will have to check it just to see.

CHAIR: No, that is all right. Do you think that most of the residents in your retirement village would probably buy a one-year licence also?

Mr O'RAFFERTY: Another point of contention: they would not need one because they are all pensioners.

CHAIR: That is right. For all the people in your retirement home, it would not matter if the Government was taking their email information on the back of the fishing licences, because they do not need a fishing licence?

Mr O'RAFFERTY: True.

CHAIR: And the same applies to all persons under 18 years of age?

Mr O'RAFFERTY: They certainly would have their addresses in the system but not pertaining to fishing so therefore they could not access them even by mail-outs.

CHAIR: What sort of regulation is there in the Camden Haven and the lakes at the moment in terms of specific regulation related to periodic closures, spawning protection or anything like that? Are there any specific areas that are closed?

Mr O'RAFFERTY: None that I am aware of. The commercial fishermen must fish in the lakes. There is obviously the old practice that they are not to block the rivers and estuary, and they fish in the lakes.

CHAIR: What is the condition of the fish in the lake?

Mr O'RAFFERTY: It is not bad at the moment. My locals are bringing in their three or four nice bream every couple of days. Flathead are strong.

CHAIR: Are we talking about Lake Innes?

Mr O'RAFFERTY: Queens Lake and Watson Taylor Lake.

CHAIR: How deep are those lakes?

Mr O'RAFFERTY: They are not deep. Queens Lake is the bigger of the two. Probably at its deepest point it might be two metres, with maybe a three-metre hole here and there.

CHAIR: I know you said you do not travel too much to fish these days. Have you fished in any of the recreational fishing havens?

Mr O'RAFFERTY: No.

CHAIR: Classically, you are a recreational fisherman who would be the hardest to reach in terms of information, except that you are computer literate, so you can go on websites?

Mr O'RAFFERTY: Yes. I am not getting fishing club news and that type of thing. Yes, I read the local paper but I do not specifically read fishing magazines.

CHAIR: There are about 12 or 13 statewide fishing publications. You do not buy and read those?

Mr O'RAFFERTY: No. I am retiring in about a month. Maybe I will have a bit more time to read those. Interestingly, I do get a newsletter from Boating, Camping and Fishing [BCF], which is a large retail chain. They would have a huge customer base and every one of those people will get a newsletter from them from time to time.

CHAIR: And that is a large mail order type business?

Mr O'RAFFERTY: Yes. That is just a thought.

CHAIR: Yes, that is a very good thought. In terms of the sort of dollars that the Government spends on information for recreational fisheries, you might be able to see around the table—you have a copy of the map and there are a few booklets floating around—those are sporadically distributed, it appears from the evidence we have heard. Do you feel it would be a good idea, for example, if the Government, in terms of its information dissemination, either through the Marine Parks Authority or through Fisheries, sought to put advertisements or information in things like Boating, Camping and Fishing and village newspapers up and down the coast?

Mr O'RAFFERTY: Yes.

CHAIR: It could be argued that anything that improves information flow in these areas probably would have the effect of improving the potential for fishing tourism anyway, so the community also benefits.

Mr O'RAFFERTY: Yes.

CHAIR: Is your local newspaper a paid newspaper or a free newspaper?

Mr O'RAFFERTY: A free newspaper.

CHAIR: Therefore it makes its revenue out of advertising?

Mr O'RAFFERTY: Yes.

CHAIR: It would welcome the Government putting in a paid column, for example.

Mr O'RAFFERTY: Or advertorials.

CHAIR: Or advertorials. We are probably talking about 100 or 150 publications—not much more than that.

Mr O'RAFFERTY: Distribution would probably be 3,000.

CHAIR: Of that one newspaper?

Mr O'RAFFERTY: Yes. Laurieton is in the Camden Haven. I know that we are close to Port Macquarie and we are not that far from Newcastle. But it really is a bit of time warp, which was largely brought about by the demographics. That is part of the appeal of the area, but it also creates problems in communicating to people that these sorts of decisions will impact on them.

CHAIR: Mr O'Rafferty, thank you very much for coming in and giving us evidence, in particular, because you represent an enormous group from which we have not really heard. As such, Committee members will probably want to ask you further questions. Would you be happy to receive questions on notice from them?

Mr O'RAFFERTY: Yes.

CHAIR: If you receive any questions could you undertake to return the answers within 21 days?

Mr O'RAFFERTY: Absolutely.

CHAIR: Thank you very much for your time; we really appreciate your input. You have given us some valuable insights.

Mr O'RAFFERTY: Thank you very much.

(The witness withdrew)

MAXWELL HOWARD FROST, Fisherman, Ex-President and Committee Member, Recreational Angler,
, New South Wales, sworn and examined:

Mr FROST: I have represented sport fishing clubs and game fishing clubs. I was a member of the Recreational Fishing Advisory Council [RFAC] in the northern area for over 25 years until its demise. I have taught education at schools. I live and work in the industry, which has been my life for a long time.

CHAIR: Are you appearing tonight as a private individual or are you representing any of those organisations?

Mr FROST: Whatever you would like. I can answer any questions. I am open to whatever you want to ask.

CHAIR: Are you appearing as an individual?

Mr FROST: Yes.

CHAIR: If you should consider at any stage that certain evidence you wish to give or documents you may wish to tender should be heard or seen only by the Committee, please indicate that fact and the Committee will consider your request. If you take any questions on notice today the Committee would appreciate it if the responses to those questions were sent back to Committee secretariat within 21 days of the date on which the questions were forwarded to you. Before we begin with questions would you like to make a brief opening statement?

Mr FROST: Yes. Firstly I have put in a submission and I gather that you have seen it, so that is one issue out of the way. I have looked at the terms of reference that were put to me and I have added a few things that I thought were relevant to them. The first is the submission on Wallis Lake that I prepared in 2006. A lot of questions have been asked about marine parks. I was a member of a committee in Port Stephens, so it would be better to talk first-hand about those issues and then to answer questions in relation to it. I would like to put to the Committee a couple of items on mapping and things that I think are of value to enhance angling to licensed holders.

CHAIR: Why do you not cover those issues now before we commence with questions?

Mr FROST: There is a positive issue that I think is important to all boaters. We are talking about boating as much as we are talking about fishing. A regulation in the maritime law states that all boaters must have a map from the port that they exit. They do not provide that except in a naval chart. Those laws were made for Captain Cook. When you are running around in a five-metre or six-metre boat and it gets wet you cannot read the naval chart. A lot of small businesses up and down the coast have attempted to use small maps, or to put together their own ideas. The Government is already spending our money in different areas. Fisheries had a major concern relating to protected species so one diagram on protected species went out. NSW Maritime has a budget but very little comes out from it.

The Marine Parks Authority has a beautiful map that I am sure you have all seen. However, it does not have any contours on it. I put it to the MPA—but I was knocked back—that it should combine our money and our resources and put out one A3 size map that could have a multitude of information on it. It could be from each port up and down the coast and it would benefit all anglers and boaters because, first, it would be compulsory and, second, they would know where they were. If you put outlines of the parks on it they would know where those parks were. On the back of it you could put some marks for areas, endangered areas, or anything you wanted. On the bottom half of it you could have protected species from Fisheries, which would result in a win-win situation for everyone. That is a commonsense approach.

CHAIR: Do you believe that it would aid in reducing marine fatalities, or marine accidents?

Mr FROST: If you had a few more realistically. Most accidents occur from negligence, or as a result of people's non-respect for a scene. Off the rocks they do not respect the sea well enough when they are crossing the bars. A few months ago, Reg Parker, an 80-year-old who was living in Forster, drowned. He had lived there all his life and he was one of the most noted people in the area. He had more experience than anyone you would ever know.

At a late stage in his life he showed disrespect for the sea. That Christmas he bought a new boat. A couple of months later he still had the lifejacket in the packet underneath the bow; he had not opened it up. He was in the water for over hour and people were watching him. He did the old-time thing and threw the tank over the side when the boat went over. He jumped onto it and held the fuel tank, as it has air in it. This old timer, who had his lifejacket in the bow of the boat, could not save himself.

CHAIR: Please continue.

Mr FROST: That suggestion was a positive one. I had assumed that a Fisheries representative would be here today. One of my main concerns is that if you are trying to help this industry you need to help the ecology. The first thing you must note is the age of all the species. You cannot talk about two species in the same breath when one has a life expectancy of 12 to 18 months, such as the dolphin fish, and one takes eight years to get to its legal size, such as the bream. The effort on these catches is enormous. Some are pelagic and some come through the area.

You talked earlier about fish aggregating devices, or FADs. FADs work only in the seasons when the fish are travelling through. There are positives and negatives there, but marine parks do not help FADs. There should be a lot more of those FADs. They are used in Sydney Harbour where the fishing has increased. Statements from Fisheries reveal that there has been an improvement. One good thing that Fisheries does is send out a lot of monthly letters. I got myself on that mailing list and I found that some terrific research was available.

CHAIR: How would the average fisherman, for example, the previous witness, get on one of those mailing lists?

Mr FROST: You will not do so; you have to know somebody. It is because of the way in which Fisheries works. I have put myself on the line. I have been on a number of committees. You will see as I go along that I am passionate about this industry. Stop me if you have to. We get an opportunity to sit down and to have a talk. We have commercial and recreational fishermen and we have a political line down the middle. We sit down, we discuss, we argue, we throw things at each other and we call each other names. At the end of a night we come up with some very good results, but rarely have I ever seen any of those things implemented. The next day there is a statement in the paper to the effect that a meeting was held with Fisheries and the local community and an agreed conclusion was reached when that did not occur and they did not agree. They had already come to a conclusion. They had already worked out what was going to happen.

For years Fisheries has placed a wedge between commercial and recreational anglers. I have been both; I have worked with and lived with commercial anglers, and I have likes and dislikes. There are practices that have been mentioned in the marine park. You have a beautiful yellow zone that only recreational anglers can use at Port Stephens. At the moment commercial operators are doing their hauling in the prime breeding season. Tell me where the science and research are in that. It is wrong, but they are allowed to do it. The problem today relates to mismanagement. We spend a fortune on Fisheries and it is far too political. Whenever we get a researcher with a degree that knows what he or she is talking about that person is shifted sideways. That happens as soon as we can talk to somebody in the system or there are people to whom we can talk. Correct me if I am wrong, but recently some of our representation was given to the Federal Government and the funding was curtailed.

CHAIR: Are you referring to Recfish?

Mr FROST: Recfish has gone, as has another. On the commercial side, OceanWatch Australia was given \$1.5 million. Where is the equality? These are the sorts of things that are happening. This information comes through to my desk; I get it all the time and I am really tired of it. I do not want to do this any longer. The only reason I am here is that nobody is coming through the ranks. Years ago I lived in Newcastle, which is a mining community, and we were all agitators. We were all active people who stood up for a cause. Unfortunately, because of the times in which we live, they are not there. As an earlier witness said, up and down the North Coast—we are talking mainly about this area at the moment because it is my area of expertise—it is a retirement area. You do not have the young people.

Basically, we are looking at a population of 20 per cent that increases dramatically in the fishing season. At Forster there are 20,000 or 25,000 people, but during peak times there are 70,000 to 80,000 people.

Most of those people will still go out and fish in the marine parks because they do not know what it is. The message has never got to them. There is a huge problem in getting this information out to the public. The main thing that I am concerned about relates to recreational fishing havens, which is referred to on your flyer. They were created under Mr Macdonald's reign.

CHAIR: Mr Obeid's reign; Mr Obeid was the Minister at the time.

Mr FROST: I stand corrected; I thought it was Minister Macdonald. As they came down the coast, I can give you an example only from my area, which I think is relevant to a number of them. There is too much politics. The Government said, "We will close the Hastings River and half the Manning River." Forster is apolitical. However, several things upset the local commercial fishers. Forster is a pristine area. I will take you out there and show you dolphins in the lake, every type of bird that you would ever want to see, and turtles that I do not think anybody would believe are in there. It is a beautiful area. I work a lot with marine biologist Susan Friebe and I get a lot of my information about seagrass beds and everything else from her.

CHAIR: So this is within the lake system?

Mr FROST: Within the lake system within Wallis Lake. We see the lake as an area that needed protection, needed some sort of better management. What happened was when our turn came there was enough people interested and there was a concern through the commercial industry, went to Fisheries, the meeting was postponed on the day from where it was supposed to be, it was changed to the afternoon where everybody is at work, yet a busload of commercial anglers were trucked up to give them the numbers, 116 to about 20 went against closing the lake. When we went and complained that was it, it was left open to commercial fishermen. There was no talk of a management committee, of what was good for the lake or anything else; we were left out.

The main problem that occurred from that event was by the locals bringing a lot of outsiders in they then had free access to Wallis Lake. You have got the Myalls predominantly closed because a lot of it is marine park, half of Smiths Lake and Lake Macquarie and all those commercial licence holders are now concentrating on trying to make a living out of Wallis Lake. A lot of people do not understand. I am an ecologist. I live there. I love the lake and I am concerned about it. I am not worried about commercial fishermen taking mullet because they are a one season thing, they make good money out of it and it keeps them going. I am concerned about them hauling the bottom of the lake and taking up seagrass, the posidonia, the zostera, the good grass beds that grow the zooplankton that we all need, which most people do not understand.

CHAIR: In previous evidence it was postulated that the buyout of the commercial effort was very poorly handled, that it was mostly latent effort that was purchased, and not enough licenses were taken out, not enough quota was taken out, and that people simply took their money and bought other fishing licences, which are a dime a dozen, and therefore the only effect was increasing the effort in those areas that were left over. Would you agree that statement?

Mr FROST: I would agree 100 per cent. That is the problem—most commercial fishers will have more than one licence. They will have a licence to do different things. There is a licence to trap crabs; you are allowed 10 traps—sorry, 30 traps. For bream you are only allowed 10 but it is the same trap. The regulation which let you have 40 traps in possession, it is only a matter which way you turn the entrances. We now have boats in Wallis Lake with full-time guys—you know because they work them twice a day, they do not work them overnight—so you know they are working 40 bream traps instead of 10. To me that is the mismanagement, that is where Fisheries need tighter control on what they do.

CHAIR: Is there not enough compliance on Wallis Lake?

Mr FROST: No, definitely not. My sympathy goes out to the district inspector and his offsideer because how in the world can two people manage an enormous area like that, that has oyster farming, netting, trapping and people coming from in and out of the area? The cooperative is a disaster, so even most of the locals send their fish out of the area—there are no catch rates coming through where they come from. They go to Newcastle cooperative, the smaller cooperatives when that cooperative should be the gem! Have you ever been to—I am sorry I should not ask it—Coffs Harbour and seen a good cooperative that brings fish in and its local area and its beautiful; something that they should be proud of up there.

We should have the same with the fish we have. It is mismanaged and everything is just taken straight out of there, nothing is put back. We put a proposal up to the local council and I basically got told, they went

and saw my boss to get me sacked because it flew against what the locals want. The local council appointed people on the committee from the commercial sector that just said, "No, we won't do it." Everybody else saw it was far too radical a proposal. My proposal was not that this was what I wanted to do. My proposal was "Here is something to look at. Why don't you put it on the table, debate it and come up with your own. I don't care what you do."

CHAIR: What would be your estimation now of the number of fishing efforts, number of licences or however you want to describe it, that are now operating in that area, compared with the period before the recreational fishing havens and the marine parks were put in?

Mr FROST: More than double.

CHAIR: In the same area?

Mr FROST: Unaccountable, because of that fact that they can just come and go. They will have a travelling licence to come up and down the coast. It seems at the moment, and commercial anglers have told me personally, they can see another buyout coming and they are all working their insides out because they must prove a catch rate. They are buying up anyone's licence they can, put two hard years in and they know in 2012 or 2013 that that licence is going to be worth big money and they can walk out the door with license dollars again.

CHAIR: Unless the Government did something such as looking at a 10-year takeover, that might slow them up a bit?

Mr FROST: Well, our proposal has always been that you should work in an area not following all the time. The Government, Fisheries came up with proposals a few years back to restrict certain practices on beach hauling. I do not understand why the local fishermen cannot use these practices of jet boats and things. It is too effective. It is killing too many fish. But if you bring a Queensland licence holder into the team he can now go and do it under his licence. So you now have the same problem down there. They are hauling areas that I have agreements that I did 10 years ago with the local fishermen, areas that we cut up between Seal Rocks and Crowdy Head, we picked the beaches, because you cannot get in the road of a commercial fishermen when he is working. We had such a good relationship when it was going that we agreed on areas where they had markers and they would work that beach and leave this one alone.

CHAIR: This was all voluntary?

Mr FROST: All voluntary.

CHAIR: And done at a local level, was it?

Mr FROST: Done at a local level and worked perfectly up until recently. Now you have these interstate crews coming in and they are taking what they can wherever they can. I might sound as though I am anti-commercial. I love a feed of fish and I understand fully that somebody's mother here who cannot fish is entitled to her share of the resource. That is what it is all about; commercial fishing. But we need to put more into aquaculture and we need to know growth rates of species before we wipe them out. The biggest problem with fisheries because of the political pull of the commercial industry they will let them take and take a species until it is nearly gone.

The best example is orange roughy. They took the orange roughy and found out it was 80 years old; now they have got mad panics and limits on it, as one example, and there are plenty others here now. All of a sudden you get an explosion, the whole coast up here is full of leather jackets, because a predator goes out of the system. It is the same as the national park, if you lock up the boundaries and leave rabbits in there what are you left with? Feral pigs and rabbits will destroy what was once a beautiful area. You still need management and control.

The Hon. RICK COLLESS: You raised the issue of aquaculture. What sorts of species do you think we should be looking at and where should they be located? Should they be essentially land-based, such as the prawn industry is, or should they be lake based or offshore or what?

Mr FROST: That is a big question. Each species is relevant to water quality. I was involved in a research program from Newcastle University and Sydney University where they looked at soft shell crab for instance, which was perfect for Wallis Lake, but the end result is that Wallis Lake has a huge commercial impact on it as recreational fisheries and the best oyster farming in the world. You cannot go and put another area in there for aquaculture. A lot of aquaculture would have been perfect in the Myall because very little goes on in the Myall but it is earmarked "no touch" so that will not happen. It is too close to the marine park; it is part of the marine park.

The best research in the world—when I was on the marine parks committee we did a meeting at Newcastle University's research station on the southern shore, and we had their people there, we had Fisheries officers and the research scientists they brought it, and they talked about all of this and how important Smiths Lake was as an area to test netting and different types of opportunities for breeding fish. They bred jewfish, snapper—I have caught snapper that normally take four years to grow to a legal size at 18 months, well over the legal, in Smiths Lake. So, yes, there are areas that should be, if managed properly, ideal for aquaculture. But when you go prawn farming, from my understanding of the prawn farming industry, you need a massive amount of land and a lot of water to make it work because the pens only last about four years and then they rot in the bottom and you have to dig them in and go to the next one. So it is a big enterprise.

The Hon. RICK COLLESS: Going back to the Myall Lakes, more than half of the whole Myall Lakes system is within the blue zone, the general purpose zone. Surely in those zones it could be argued that aquaculture would be compatible with that general use zone?

Mr FROST: I would love to see it personally agreed but from my knowledge of being on those committees with marine parks there is no hope in hell, pardon me.

The Hon. RICK COLLESS: So where does that come from? Does that come from the Marine Park Authority people?

Mr FROST: Yes. The best example is Smiths Lake. Smiths Lake is one of those unique areas that have rutile and zircon right through it. In the early days it was mined from Newcastle up, and that was where it ended. You can stand in there and grow. You can grow kids or anything in there. It is the greatest area in the world. That is why all the research stations are there. It is a natural lake landlocked; I think it is technically a lagoon, which opens to the sea only in horrific storms. Man in his wisdom has finally built around there, put sewer lines in around there, it has a lovely little coffee shop and it is a beautiful place. The problem is that when it rains there is nowhere for it to go, so it comes up to a very low level around the foreshores. What happens is that the commercial guys go down there and they dig it out, they dig it out by hand. They dig a channel and bang out the lot goes—twice a year usually after heavy rains.

Now the marine parks have come in and said not over their dying bodies will anyone ever be allowed to open that lake again. If you go down there now at the moment there is a huge problem. The council has been down there trying to come up with an answer to it because the water is getting back into the sewer and they are starting to get infestations in the lake. So I might sound negative but that to me is wrong. The marine park should be managing that lake, not sticking their heads in the sand and saying "Its ours, keep your hands off. No-one can do this." That is wrong.

The Hon. RICK COLLESS: Surely that is a case of some predetermined ideology overruling what science is telling them they should do?

Mr FROST: Yes, and its fact. There is plenty of fact there. There are meetings down there. There were meetings down there last week with council.

CHAIR: Earlier on you were rather scathing of Fisheries management, and now you are saying that the Marine Parks Authority are making a mistake. What is your view on what organisations should be responsible for the management of our marine environment, both inshore and offshore?

Mr FROST: Fisheries. Fisheries officers should be less political and should bring back the marine biologists and the people they have at Orange and down at Botany Bay. They have terrific resources and people there. It is a bit like the CSIRO; the greatest organisation in the world but no-one listens to them.

The Hon. RICK COLLESS: If marine parks are to have a flexible management arrangement, as I believe they should, and research shows that a particular lake or area within Port Stephens or where ever has the

potential to be developed as a commercial aquaculture opportunity, surely the Marine Parks Authority people should be prepared to at least consider those options. What would be your reaction to that?

Mr FROST: Definitely. The problem I see is that the mentality is to lock it up and then, "It's ours". I have been on that committee at Port Stephens. I have followed Solitary Islands, Jervis Bay, the whole lot of them, so I would have correct information to base my opinions on. They just seem to be more concerned on the grab. The blue areas and the pink areas, if you understand what it is—the blue area is sand. You can have as much blue as you like, but if it is sand, there is nothing there. The percentage is what counts. In a marine park, at the moment I believe at the Solitary Islands they are expanding it to an extra 12 per cent. Now 12 per cent of that wall is a very small percentage but 12 per cent is where that little green plant grows and that is the area they want. They keep taking those areas. Why?

My question is: Why is that area being locked up? The only thing we have to date is that it was because of the grey nurse shark. It has since been proven that was incorrect. A study was done by individual divers, not authorised government employees with a background. The case for the 500 sharks has been disproved. Actually, at the marine parks meeting we had commercial fishers stating categorically—and I have personally seen them myself because I have caught hundreds of grey nurse sharks—that the bigger ones migrate east-west. You can go out, set a line and fish for bar cod out near the shelf at 80 fathoms and you will catch grey nurse sharks, pit ones, breeders, the females, because that is the same pattern; they predominantly feed on kingfish, the kingfish that we have tagged since 1970-odd for the Australian National Sportfishing Association [ANSA], sport fishing and the Game Fishing Association [GFA].

Most of our results said that those fish lived within about a 100 to 150-kilometre area and east. They did not listen to the research. I am not opposed to marine parks in any way. I have drawn my own up. I spent weeks coming up with proposals and options and I chased people up and we were never against that. It is how it is done and why it is done. We need science, as I said. Through the year you can tell the age.

CHAIR: Point of clarification: Were the plans that you did yourself ever presented to the Marine Parks Advisory Committee?

Mr FROST: Yes.

CHAIR: What feedback did you get?

Mr FROST: None. No hope at all.

CHAIR: How are you proposing to protect sensitive areas or sensitive fisheries?

Mr FROST: I have one left and it is no further use to me, so I would like to table it.

CHAIR: That would be fantastic.

Mr FROST: It is better to do that and if you want to look at it and ask questions, we could go on all night.

CHAIR: No, thank you.

Document tabled.

The Hon. RICK COLLESS: I would like your confirmation again. I think you said you were an ecologist, is that correct?

Mr FROST: Personally, yes. I am a self-preservationist.

The Hon. RICK COLLESS: From those blue areas within Myall Lakes, you would see no reason why they could not be researched with a view to providing a commercial fish farm in operation in those areas?

Mr FROST: Definitely.

Mr IAN COHEN: You describe the leather jackets in plague proportions. This has come up a couple of times during the inquiry. What has caused the plague proportions? You are saying a predator has been removed from the environment that has upset the balance. Can you describe that?

Mr FROST: Certainly. My information came from Fisheries research officers I know up on the North Coast where it started. The thought is, at this stage, because they do not have the money, they do not do the research—

Mr IAN COHEN: This is the Fisheries research officers?

Mr FROST: Yes. Their belief is that it was more than likely the silver trevally or fish like that being taken out of the system in big numbers in a very short time. In two seasons we lost 90 per cent of our silver trevally.

Mr IAN COHEN: How were they lost? Was it a commercial effort?

Mr FROST: It was a commercial effort. When you take any predator out of a chain—it happens in all of nature; I do not think I have to make that point—the next thing is that what it predominantly preyed on all of a sudden explodes. There was something like four acres of leather jackets around 10 to 12 millimetres long found on the surface—an explosion of them. They could not count them. There was no way they could even work out how many.

The Hon. RICK COLLESS: Is that the size that trevally feed on when they are 10 to 12 millimetre long?

Mr FROST: They would probably feed on the spawn. You have to remember you can get one million eggs from one. Nature's way of dealing with things is it used to be sharks down the line. The long liners take the sharks out and then you get an explosion of the next thing down the chain. That seemed to be the main problem; that something in the chain leaves an explosion in the next thing. We saw it up in the parks with the crown of thorns starfish. When you take the thing out that was eating it, that shellfish went boom; there was an explosion.

Mr IAN COHEN: That is interesting because others did not understand that. You mentioned catching snapper? Was that in Smiths Lake?

Mr FROST: Yes, in Smiths Lake.

Mr IAN COHEN: And it was legal size within six months?

Mr FROST: No, within 18 months.

Mr IAN COHEN: How are you ageing those fish? You have the size. Is this an aquaculture program?

Mr FROST: Yes. It is an aquaculture program from the University of Newcastle.

Mr IAN COHEN: So you are growing the fish.

Mr FROST: Now what they have done is they have put the boundary in and taken them out of the equation.

Mr IAN COHEN: In terms of Smiths Lake, you are saying that the National Parks and Wildlife Service does not allow the release, which is, on the face of it, a bit odious, to say the least.

Mr FROST: It is.

Mr IAN COHEN: Have you looked at the positioning and structure of the actual sewerage works that have been put in such a precarious position?

Mr FROST: Me, personally, no. They are in a precarious position but people live there.

Mr IAN COHEN: I appreciate that.

Mr FROST: If they are prepared to move the people. I do not live there; it is not my personal problem.

The Hon. CHRISTINE ROBERTSON: Is this Wallis Lake?

Mr FROST: No, Smiths Lake.

Mr IAN COHEN: Wallis Lake was another issue.

Mr FROST: Yes, and it has happened there.

Mr IAN COHEN: I am concerned about that in terms of the contamination factor.

Mr FROST: We can go on and on. I am just using the main ones that are there and relevant today.

Mr IAN COHEN: Are there oyster leases in Smiths Lake?

Mr FROST: No.

Mr IAN COHEN: Or any other aquaculture or commercial fishing on the lake?

Mr FROST: There is commercial fishing done, yes.

Mr IAN COHEN: Your submission contained a statement that there has been depletion in fish stocks caused by policy aimed at generating revenue, if I am correct?

Mr FROST: Yes.

Mr IAN COHEN: Could you further describe the connection between depletion of fish stocks through recreational fishing activities and/or the generation of revenue by government?

Mr FROST: The fishing industry is based right on the coast. If you have a look at the electorates, it is not hard to find out that they are all based in certain electorates. I do not want to get into the personal politics, unless I am asked. If you want, I will give it to you. I think we all know the boundaries; especially you people would know the boundaries of all these areas we are talking about, and they are primarily in certain fields. The bread-and-butter of those areas are the local families, the main industry of which is commercial fishing. I can take this to my local member, which I have done, and I know him well and he is just leaving at the moment, but it never goes anywhere. I get all my information around.

Mr IAN COHEN: In terms of depletion of fish stocks caused by policy aimed at generating revenue—let us not get into the politics of the electorates—what are you actually referring to there? Can you rephrase that?

Mr FROST: What I am saying is that if you were doing your job properly from Fisheries, the politics would not come into it and you would do what is best for the fish, for the ecology. You would manage it. The proposals I have put forward are for closures in certain areas at times to let species grow; to let that area reproduce. You cannot keep netting the same area over; you take out all the aquaculture that it lives on. If the politics were left out and Fisheries were left to manage it properly, then I think they could do a great job, but it seems to be, as I said before, that as soon as it becomes political, we lose the people that we know we can trust. Nobody is game to do or say anything because if it goes against the commercial sector, they are in trouble. So we do not get the proper management that the industry needs.

Mr IAN COHEN: In your submission you state that locking up waterways could lead to significant problems with feral pests. Are you talking of local area and coastal lake or are you talking of inland and other areas?

Mr FROST: That refers back to the leather jacket.

Mr IAN COHEN: Dealing with leather jacket?

Mr FROST: It could be leather jacket; it could be a pest that explodes in the estuary; it could be a microscopic organism or zoo plankton that all of a sudden turns around and does damage to fish stocks.

Mr IAN COHEN: Can you give a couple of examples, other than leather jackets, of things that can get out of hand?

Mr FROST: There is one at the moment that they are doing a study of down at Port Stephens. I will have to get your reference to it.

Mr IAN COHEN: You can take the question on notice, if you like?

Mr FROST: Yes, I will try and find it for you. I think it is a crustacean that they are starting to find down there that fish are eating that is killing them in numbers. There is also one causing problems with bacteria in abalone.

Mr IAN COHEN: Perkinsus or something like? Is that not a disease in abalone?

Mr FROST: Close enough.

Mr IAN COHEN: Perhaps you could also let the Committee know the evidence that it is based upon, if possible?

Mr FROST: Yes.

Mr IAN COHEN: Do you think there are issues with recreational fishers adhering to existing rules within marine parks and marine protected areas? Are there any specific issues that arise currently that make it difficult for recreational fishers?

Mr FROST: Yes, it is obvious; it is the boundaries.

Mr IAN COHEN: Are you talking about the actual zoning boundaries in the marine park?

Mr FROST: They are there; they are a fact and we have to comply. The problem is you cannot put a fence around them and you cannot put a marker because markers move in the water.

Mr IAN COHEN: Well, they do have markers. We have seen them at Jervis Bay. There are some pretty effective markers, both onshore—

Mr FROST: I have not seen any offshore.

The Hon. RICK COLLESS: They are not offshore; they are inshore.

Mr IAN COHEN: You are talking about offshore?

Mr FROST: Yes. That is where people are going to fish. We have actually been out to Port Stephens with Max Haste, the manager of the one there. They use probably \$30,000 or \$40,000 worth of electronic equipment, radar, satellite and satellite navigation equipment and they can say, "You are there". Even with your wonderful GPS sitting out the water, bobbing up and down in a five-metre boat, to try to see where you are is useless. On the Great Barrier Reef, which is Federal, they have put the money into it and they have maps and areas and you can punch it in; they have downloaded software into the GPSs. The State Government, if it can find the money, needs to get that underway.

Mr IAN COHEN: That is something that could be replicated by the State Government.

Mr FROST: That has already been put forward to it on a number of occasions. It just does not have the money.

Mr IAN COHEN: Given the level of scientific or technological equipment, potentially it could be quite dire. Fish stocks are more vulnerable because equipment has made such advances. Location and fishing equipment are far more efficient than they were perhaps 20 years ago.

Mr FROST: Definitely.

Mr IAN COHEN: Does that call for greater regulation?

Mr FROST: Yes. As I said at the bottom of my statement, we have laws. Let us enforce the laws that we have before we make any more. Making more laws will not make it any better unless the ones that we have are regulated and enforced. Referring to the technology process, years ago when they tried to catch trevally they could not; they spawned on top of a reef and they could not haul a net over the reef. Technology enabled them to put the net into the reef, to lift it quickly and to take everything in one go. As soon as they found that out it got to the traps and the Newcastle guys came up in two seasons and wiped them out in their spawning run. That is the problem.

Mr IAN COHEN: Given the lack of compliance officers—an issue that has been referred to on a number of occasions during this inquiry—and given their inability to be effective as they are overstressed, do you have any other practical solutions other than more compliance officers? Can you think of any other way of resolving these compliance issues?

Mr FROST: It is already there. I am not a lover of them, but the Americans are not that silly. They have some of the best fisheries methods on record. Instead of having a Fisheries officer, a Fisheries boat, NSW Maritime, coastal patrols and Dad's Navy—

Mr IAN COHEN: Should we combine those agencies under one heading?

Mr FROST: You should combine your Water Police, Fisheries and NSW Maritime.

CHAIR: You are referring to United States Fish and Wildlife at a Federal level?

Mr FROST: Yes, it is an excellent and well-organised group that is semi-military based. They also have a Coast Guard. If you are going to put marine parks outside, you have one boat that I think made one trip up to the top end of Port Stephens marine park that I know of. Quite often you can go out and you see the boats out on the pinnacle, which was the prime area for grey nurse sharks. The people going out there are ignorant; they are not trying to break the law. They do not even know that it is out there. People from Dubbo have been coming to Forster for years. They come out to places like this where there are no markers and they cannot even spell "GPS".

The Hon. CHRISTINE ROBERTSON: Do not offend the Dubbo people. Some of us are from western New South Wales.

Mr FROST: My apologies.

CHAIR: We would love to question you for a couple of hours, but we are out of time. Thank you for coming so late and for giving evidence, which we appreciate. Your evidence has been very good. In fact, I believe that Committee members probably want to send you some questions on notice. Are you happy to receive those questions?

Mr FROST: Give me time.

CHAIR: Twenty-one days after you receive the questions. If there are issues that you need to research—some of the questions referred to reference papers—let the Committee know if you are having trouble finding them. There would be no problem extending the 21 days. As a general rule, could you try to get the answers back within 21 days of receiving them, as that will help us in our deliberations?

Mr FROST: Certainly.

CHAIR: Thank you very much for coming.

Mr FROST: Thank you for having me.

(The witness withdrew)

Committee adjourned at 7.34 p.m.

