

UNCORRECTED PROOF
REPORT OF PROCEEDINGS BEFORE

SELECT COMMITTEE ON RECREATIONAL FISHING

INQUIRY INTO RECREATIONAL FISHING

At Sydney on Monday 19 April 2010

The Committee met at 9.30 a.m.

PRESENT

The Hon. R. L. Brown (Chair)

The Hon. A. Catanzariti

Mr I. Cohen

The Hon. R. H. Colless

The Hon. C. J. S. Lynn

The Hon. C. M. Robertson

The Hon. L. J. Voltz

CHAIR: Welcome to the first public hearing of the Select Committee on Recreational Fishing. Wide interest has been expressed in this inquiry, and the Committee has received over 1,000 submissions from a broad range of stakeholders across the State. The Committee will be holding its next hearing here in Parliament House on 27 April. Between April and June the Committee will be holding six public hearings at a number of regional locations: Nowra, Port Stephens, Port Macquarie, Batemans Bay, Griffith and Grafton. As details of these hearings are finalised they will be progressively placed on the website of this inquiry and published in the local press.

Before commencing the taking of evidence I would like to make some comments about procedural matters. Firstly, in accordance with the guidelines of the Legislative Council for broadcasting proceedings, only Committee members or 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 the media must take responsibility for what they publish or what interpretation is placed on anything that is said before this Committee. The guidelines for the broadcasting of proceedings are available on the table by the door. Secondly, I remind everyone that any messages for Committee members or witnesses must be delivered through the chamber and support staff or the Committee clerks who are seated at the side table. Thirdly, I remind everyone to please turn off your mobile phones.

BRYAN VAN DER WALT, Acting Manager, Recreational Fisheries Programs, Department of Industry and Investment, PO Box 21 Cronulla, New South Wales 2230,

PETER TURNELL, Director, Fisheries Resource Management, Department of Industry and Investment, PO Box 21 Cronulla, New South Wales 2230,

PAUL FRANCIS O'CONNOR, Principal Director, Fisheries and Compliance, Department of Industry and Investment, PO Box 21 Cronulla, New South Wales 2230,

MICHAEL JOHN WRIGHT, Director, Protected Areas Policy and Programs, Department of Environment, Climate Change and Water, Level 2, 43 Bridge Street, Hurstville, and

ADRIAN DAVID TOOVEY, Manager, Aquatic Protected Areas, Department of Environment, Climate Change and Water, Level 2, 43 Bridge Street, Hurstville, sworn and examined:

CHAIR: If any of 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 would you please indicate that fact and we will then consider your request. If you do take any questions on notice today the Committee would appreciate your response to those questions being returned to the Committee secretariat within 21 days of the date on which the questions were forwarded to you. Before we commence with questions would one or more of you like to make a brief opening statement?

Mr O'CONNOR: Yes, thank you. My comments relate to recreational fisheries. The State's fishery resources are community owned. The department's role is to conserve, develop and share the fishery resources of the State for the benefit of present and future generations. In order to achieve this, the department makes decisions about what levels of fish catches are sustainable and how and where they can be caught, and how they can be equitably shared amongst user groups. Those decisions are then reflected in management rules. In order to ensure that those management rules are both effective and complied with the department funds strategic research and compliance programs, but the department does not just manage fishing.

The department recognises that in order to have good fish populations we need quality fish habitats and, as a result, the department seeks to protect existing habitats and, where possible, restore degraded habitats, for example, by constructing fish ways, or by promoting improved land-management practices in order to limit downstream impacts on aquatic habitats. The department also protects and seeks to restore aquatic species populations and communities that are listed as threatened; seeks to limit the spread of pest species; and seeks to conserve marine biodiversity through its involvement in the marine parks program. Together these elements comprise an ecosystems approach to fisheries management. The department consults with recreational fishers on all of these issues, on policy matters related to recreational fishing, and on interactions with other stakeholder groups through the Advisory Council on Recreational Fishing, and also through regular meetings with a wide variety of fishing clubs throughout New South Wales, through issue-specific workshops and through informal conversations with anglers at boat ramps and on the water.

Apart from ensuring sustainability, the department's other key role with respect to recreational fishing is to promote quality recreational fishing opportunities. Fishing is a popular sport, with an estimated one million people going fishing in New South Wales each year. The department delivers a wide range of programs to meet the needs of anglers, including the creation of recreational fishing havens; the enhancement of fishing through fish-stocking programs, the construction of artificial reefs and the deployment of fish aggregation devices; the construction of improved angler facilities; the conduct of fishing clinics and fisher education and volunteer programs, and the distribution of advisory materials, examples of which are today tabled for your information.

Many of these ongoing improvements in recreational fishing programs, including some targeted research and compliance programs, are wholly or partially funded from the all waters fishing licence introduced in 2001. The licence generated around \$13 million in 2008-09—funds that were spent entirely on recreational fishing directly or indirectly. Specialist regionally based committees of saltwater and freshwater recreational fishers determine priorities for the expenditure of these funds. The community is encouraged to apply for funding for recreational fishing programs each year. The committee's expenditure decisions are influenced by the outcomes of recreational fisher surveys that identify what sorts of programs fishers want funded by their licence. The department is proud of its achievements in recreational fishing and of its close work and

relationship with recreational fishers throughout New South Wales, and is pleased to have this opportunity of discussing these programs with members of this inquiry.

CHAIR: Would the department like to make an opening statement?

Mr WRIGHT: Thank you for the opportunity to make an opening statement. As our colleague from Industry and Investment has provided an overview of the Government's recreational fishing program, I want to briefly overview the Government's marine protected areas program. We intend also to table supplementary material that is directly referenced in the New South Wales Government's submission and is relevant to the inquiry's terms of reference. Marine protected areas are part of a global, national and State-based effort to conserve marine biodiversity. Australia's commitments as a party to the 1992 United Nations Convention on Biological Diversity require it to establish a system of effectively managed marine protected areas by 2012. In 1998 all Australian governments agreed to develop a national representative system of marine protected areas as a key component of marine conservation efforts.

The New South Wales Government has made and continues to make a significant contribution to this national system through the declaration and management of marine protected areas, including 6 marine parks, 12 aquatic reserves and the marine and estuarine component of national parks and nature reserves. Since 1998 the New South Wales Government has declared six large multi-use marine parks at Cape Byron, Solitary Islands at Coffs Harbour, Port Stephens-Great Lakes, Jervis Bay, between Batemans Bay and Narooma on the far South Coast, and surrounding Lord Howe Island. New South Wales marine parks cover about 345,000 hectares, or more than one-third, of New South Wales coastal waters. The Government's focus now is on improving the management of existing marine parks rather than establishing new ones.

The Government also has made progress with complementary programs that address impacts on the marine environment. These programs include some of the fisheries programs that Paul O'Connor already has spoken about. In addition, New South Wales catchment management authorities will have invested more than \$600 million over the past four years to better manage our natural resources, including estuarine and marine environments. A further example is the \$1.1 billion spent under the Government's country towns water supply and sewerage program, which is delivering improved environment outcomes through sewerage upgrades and will continue through until 2016-17.

The Marine Parks Authority established under the Marine Parks Act oversees the declaration and management of marine parks. It includes the Director General of the Department of Premier and Cabinet as chairperson and as equal members the directors general of Industry and Investment, and Environment, Climate Change and Water. The authority jointly advises the Minister for Climate Change and the Environment, and the Minister for Primary Industries on marine parks matters, and considers advice from a marine parks advisory council and six marine park-based advisory committees, including local stakeholder representatives. The authority relies on staff in Environment, Climate Change and Water with assistance from staff in Industry and Investment to deliver the marine parks program.

The process for establishing marine protected areas is based on agreed national guidelines, which require both scientific and socioeconomic considerations to be accounted for. Science-based biodiversity assessments have informed the identification of candidate marine protected areas in New South Wales; and social, economic and cultural factors have been considered in selecting and zoning marine parks. Marine park zoning plans protect examples of marine biodiversity and provide for a range of sustainable uses, including fishing, diving, whale and dolphin watching, boating and cultural activities. Each plan has been developed with extensive community consultation involving local marine park advisory committees, focus groups, information sessions, public meetings and submissions. Aquatic reserves and national park management arrangements also are developed in consultation with local communities. For example, a draft management plan for Cabbage Tree Bay Aquatic Reserve developed in consultation with a stakeholder working group currently is on public exhibition.

Ensuring the conservation objectives of marine protected areas legislation is met while minimising impacts on users of the marine environment, including recreational fishers, has been central to the Government's approach to marine protected areas. Recreational fishing can be enjoyed in every New South Wales marine park with between 72.5 per cent and 88 per cent of marine parks accessible to recreational fishing. Overall, just 6.7 per cent of New South Wales coastal waters is set aside as no-take sanctuary zones. Less than 4 per cent of ocean beaches and rocky shores are within sanctuary zones. For example, over 80 per cent of the key recreational fishing sites identified by that community remain available for recreational fishing under current

zoning plans according to analysis of Jervis Bay, Port Stephens-Great Lakes and Batemans marine parks. In each case draft zoning plans have been modified to address issues raised during consultation. For example, at Port Stephens-Great Lakes Marine Park some areas that had been proposed for sanctuary zones were left available for recreational fishing in response to feedback from recreational fishers, and instead alternative sites with less impact on fishing were included in sanctuary zones.

A guide to recreational fishing in New South Wales marine parks, produced by the Marine Park Authority, which we intend to table today, promotes the fact that there are continuing significant and varied opportunities to enjoy recreational fishing in every marine park. Marine parks can provide additional benefits for recreational fishing by protecting extensive areas of fish habitat and reducing commercial fishing effort. More than \$30 million has been spent to buy out around 170 commercial fishing businesses to implement New South Wales marine park zoning plans. These buyouts have offset the displacement of commercial fishing effort from sanctuary and habitat protection zones and also support sustainable fisheries management.

For example, trawling, a high-impact commercial fishing method, has been removed from the entirety of Batemans Marine Park. This has clear benefits for the protection of fish habitat and some anglers link the removal of trawling to their catches.

Monitoring the effectiveness of marine protected areas is ongoing, as the full ecological effects can take decades to observe. In 2008 the Government amended the Marine Parks Act to establish a transparent, consultative process for reviewing marine parks zoning plans after 5 years and then 10 years to consider the effectiveness and support adaptive management. Zoning plan reviews for Solitary Islands and Jervis Bay marine parks commenced in 2008, informed by a two-month community consultation period and significant new scientific information, including state-of-the-art seabed mapping. The Marine Parks Authority subsequently prepared zoning plan review reports, which conclude that the zoning plans are generally appropriate for meeting the objects of the Marine Parks Act but that opportunities exist to finetune and improve their effectiveness.

The Ministers have now considered the review reports for Solitary Islands and Jervis Bay, together with comments on the reports from the local advisory committees, and earlier this morning jointly announced the next stage of the process. Proposed changes to finetune the zoning plans and improve their effectiveness will now go on public exhibition during May for a period of three months. Significant consultation with local stakeholders and the advisory committee will occur in each park to inform the Ministers' final decision.

In brief, the proposed changes for the Solitary Islands Marine Park include: improving access for recreational fishers by changing a small area of the Groper Islet Sanctuary Zone to allow seasonal spearfishing and recreational line fishing; reducing the complexity of the zoning plan by straightening boundaries and simplifying recreational fishing restrictions around particular species; reducing impacts of commercial fishing activities to a total prohibition on prawn trawling within two years; improving protection for intermediate and deep reef habitats by increasing the area of sanctuary zone in the park from 12 per cent to 20 per cent; and improving protection for the threatened grey nurse sharks and protecting threatened algae at a small site at Muttonbird Island.

In summary, the proposed changes for the Jervis Bay Marine Park include: prohibiting commercial trawling and lift netting activities in the marine park; relocating St Georges-Steamers Head Sanctuary Zone northward without increasing the sanctuary zone area by providing a 100 metre wide habitat protection zone to allow rock fishing; reconfiguring one netting area within Jervis Bay and removing another adjacent to Bowen Island; improving manageability at the Drum and Drum Sticks by straightening zone boundaries; designating an anchoring area in Hare Bay Sanctuary Zone to facilitate public use; prohibiting the use of jet skis at Hyams Beach to facilitate public use and enjoyment; restricting spearfishing and boating in Honeymoon Bay to improve public safety; and restricting motorised vessel access to Carama Inlet and Moona Moona Creek to better protect shallow water habitats.

Depending on the consultation outcomes, funds are available for commercial fishing buyouts at both marine parks to avoid commercial fishing pressure increasing elsewhere. It is important to emphasise that these are proposals only. The suggested changes will be discussed with the Jervis Bay and Solitary Islands advisory committees later this week, after which the public exhibition packages will be finalised. Public notices will advertise the exhibition of the draft zoning plans and we will place information, including the zoning plan review reports, on the Marine Parks Authority's website.

In terms of the finetuning changes proposed, the Marine Parks Authority has been cognisant of potential impacts on recreational fishing and is keen now to hear from fishing and other interests on the proposals. It is important to note that scientific research and monitoring has been critical to informing the proposed zoning plan changes. A well-developed research and monitoring program is in place for New South Wales marine parks, as set out in the 2004 Strategic Framework for Evaluation and Monitoring of Marine Parks and the 2005-2010 Marine Parks Strategic Research Plan. In 2009-10 around 40 research projects are underway, supported by a budget of about \$900,000. An independent review of marine park science has now been completed and is directly informing the development of a new 2010 to 2015 research plan. A copy of the report of the independent review of marine park science will be tabled today.

The independent review considered the effectiveness of the current research framework and plan and key stakeholder issues. The review has found that the current program is working well, with the government seabed mapping program as probably the best in Australia. This seabed mapping program relies on state-of-the-art acoustic technology, along with video ground truthing to identify, map and better understand habitats in marine parks. Over the past five years some 50,000 hectares of seabed habitats have been mapped in marine parks, including Jervis Bay and Solitary Islands. This is providing us with information that is fundamental to understanding how well our zoning plans are representing the variety of habitats and biodiversity in marine parks. The material we are tabling today includes the zoning plan review reports, which describe how the new seabed mapping and other habitat information has informed the proposed improvements to the Jervis Bay and Solitary Islands zoning plans.

Other highlights from the independent science review include the Marine Parks Authority's baited remote underwater video survey program, an increased understanding of reef habitats, collaborations with academic institutions, success in obtaining external research grants, success with publications, and the placement of scientists in all our marine parks locally. However, the independent review did conclude that more emphasis is required on research into social, economic and cultural aspects of marine parks, including non-use values, and in better communicating research and monitoring to the public.

Research and monitoring in marine protected areas more generally also demonstrate that protection can lead to increased abundance and size of fish and marine communities and food webs that are in a more natural condition. For example, a study of reef sites protected for 20 years or more, including Fly Point in the Port Stephens-Great Lakes Marine Park, showed that on average twice the total fish biomass was present relative to nearby fished zones. In Jervis Bay Marine Park comparisons between sightseeing sanctuary zones and habitat protection zones have shown a trend of a greater abundance of some fish species and a greater abundance of large fish over 300 millimetres in length in sanctuary zones. More data is needed. Marine protected areas can also better protect threatened species, such as the grey nurse shark and black cod, and improve our understanding of the marine environment and human impacts on it.

The efficacy of marine protected areas ultimately depends on strong community interest, awareness and support. Surveys undertaken at Solitary Islands, Jervis Bay and Lord Howe Island marine parks indicate high levels of community support for these marine parks and their sanctuary zones. A telephone survey of 400 people in the Coffs Harbour region in 2008 indicated 87 per cent of respondents were in favour of conserving the marine parks and 80 per cent of respondents supported the sanctuary zones in the zoning plan. A recent survey on Lord Howe Island found that of 500 respondents 98 per cent supported the marine park. The Who Cares About the Environment 2009 survey sampled around 2,000 people and found that 86 per cent of respondents agreed or agreed strongly that some areas of the marine environment should be protected, even if it meant recreational and commercial fishing is excluded. Only 3 per cent of respondents strongly disagreed. The survey also found almost half, that is, 47 percent, of the respondents felt that conservation of the marine environment had become better or much better over the previous three years, while almost one-third, 29 per cent, felt there had been little or no change.

In conclusion, marine protected areas are an important part of the Government's approach to marine conservation. They are based on sound science, widely supported in the broader community and by catchment management fisheries and pollution reduction programs. Finally, I would like to extend an invitation to the Committee and secretariat to visit the marine parks to experience them firsthand under the guidance of a local marine parks manager. I would also like to confirm that marine parks managers will be available to give further evidence to the Committee at regional hearings, if required.

CHAIR: Thank you. I will ask Committee members to put questions to both departmental representatives from whichever report they wish.

The Hon. RICK COLLESS: Thank you, gentlemen, for appearing today and for the comprehensive introduction. I note in the executive summary of the Government's submission, which I suppose includes both departments, that there are no plans to establish new marine parks because you are concentrating on managing existing parks. What is involved in managing a marine park as opposed to a national park where there are weeds, pest animals, fencing and so on? What is actually involved in managing a marine park?

Mr WRIGHT: The primary instrument for managing marine parks is the zoning plan, which sets out where activities are or are not permissible. One of the key focuses of the Marine Parks Authority through the Department of the Environment, Climate Change and Water and Industry and Investment, is to provide information to the community and educate the community about the zoning plan, how it operates, and what restrictions it might apply to ensure enforcement and compliance with the zoning plan on the water, but also to obtain additional information about the habitats within the marine park and to get a better understanding of how effective the zones that have been put in place are at conserving marine biodiversity, which is the primary object of the Marine Parks Act.

The Hon. RICK COLLESS: I am a recreational fisherman and an offshore boat owner. A number of times boat owners have raised with me that they had been prosecuted for being inside a marine park. When you are out on the water, how do you know when you are in and when you are not in, and where the park boundaries are? They are not shown on GPSs and it is very difficult to determine just where the park boundaries are.

Mr WRIGHT: Some of our sanctuary zones are marked by buoys; others are clearly identifiable from a boat from land-based landmarks. My understanding is that the zone boundaries can be identified by GPS as well.

The Hon. RICK COLLESS: They can be identified by the GPS marks, but they are not shown on the GPS screen. Do you have any plans to talk to software providers to show those parks on GPSs?

Mr WRIGHT: We have had some discussions with software providers.

Mr TOOVEY: Yes, we certainly have had some discussions with some of the sea-mapping companies and are definitely exploring that. Obviously, when changes in things like that occur, that kind of information is important for their systems and updates. Some of the large marine parks, including the Great Barrier Reef as I understand it, have been included on some of those large seabed-mapping databases.

The Hon. RICK COLLESS: That would be a very worthwhile project to pursue because, as I say, when you are out on the water, it is very difficult to know exactly where you are, other than if it is marked on your GPS. All fishermen now have a GPS with them, basically.

Mr WRIGHT: Yes.

The Hon. RICK COLLESS: It would make it a lot easier to know where you are. The telephone survey that you did in the Coffs Harbour region indicated that 87 per cent of respondents were in favour of conserving the marine park. Can you tell the Committee the proportion of those 400 people who were fishermen?

Mr TOOVEY: I just add that the survey report is in some papers that we have tabled. But can we take that on notice and get back to you?

The Hon. RICK COLLESS: Sure.

Mr TOOVEY: I am sure that detail was collected by the survey.

The Hon. RICK COLLESS: In your submission you refer to limiting pest species. Can you tell us what the major pest species are in both freshwater and oceanic systems? I do not expect you to go into individual programs, but what types of programs do you have for controlling some of those pest species?

Mr O'CONNOR: Just to give you an example, one of the pest species we have been dealing with in recent times has been *Caulerpa taxifolia*, which is a seaweed. It has caused considerable problems in the Mediterranean in particular, but also in the United States. We have been working with boat owners and

fishermen to try to limit the spread of that seaweed. Another recent example—in fact, one that is currently under way—is dealing with a sea squirt, which is found at the moment at Eden. It appears to be a species which is exotic to Australia. It is one that has caused considerable problems, particularly in New Zealand. We are dealing with that at the moment. That is the sort of issue. More generically, species like carp in inland areas are a problem and species like redfin likewise.

The Hon. RICK COLLESS: What programs exist to control those particular species?

Mr O'CONNOR: For instance, with caulerpa taxifolia, one of the things we have done is a lot of research to try to understand the impact that that species has on the conservation of biodiversity in New South Wales and on fish populations. Research is one key aspect. Another key aspect is working with boat owners and fishermen to make sure that they understand how their activities can inadvertently result in the spread of that species. For instance, the weed can get caught up on propellers, so we work with boat owners to make sure that they clean their propellers and so forth, so that they do not inadvertently spread it. They are the sorts of programs.

The Hon. RICK COLLESS: What is the distribution of that particular seaweed problem?

Mr O'CONNOR: Unfortunately, it is reasonably widespread, particularly on the South Coast. I guess our understanding of the impact of that species is that it is probably not as marked as the impact it has appeared to have had in the Mediterranean. We find that most native species will live in that seaweed whereas in the Mediterranean what they basically found was that the seaweed totally took over the environment, grew over the top of the existing seaweeds, and had a marked impact on the populations of fish. In New South Wales, it does not appear to be having the same impact.

The Hon. RICK COLLESS: The submission from the Australian National Sportfishing Association argues that a review of recreational fishing should occur every five years and that size limits must apply equally to commercial or recreational fishermen. Can you tell us what the differences are in the size limits between the recreational industry and the commercial industry?

Mr O'CONNOR: Basically where we have a size limit, it does apply equally to commercial fishermen as it applies to recreational fishermen. Basically the size limit is set in relation to the size of the fish that is required to protect juvenile species and to ensure that the species continues to breed. It is consistent between the two types of fishers.

The Hon. RICK COLLESS: Are there any situations where it is not consistent?

Mr O'CONNOR: There is one example—abalone. We are considering having a number of different size limits applying to one species. The reason is that we are trying to introduce finer-scale management. We are trying to recognise that species like abalone grow faster in some locations and slower in other locations, so it makes sense from the point of view of managing the biology of the animal and managing its future harvestability to recognise that. But that is the only example that I am aware of.

Mr IAN COHEN: Taking into account the commitment and obligations assumed by the New South Wales Government in 1998, which you mentioned in your introduction, is it consistent for the New South Wales Government to state that it has no intention of establishing two new marine parks in the Hawkesbury shelf bioregion and the Twofold shelf bioregion because it is concentrating on the management of the existing marine parks. Is this a direct contradiction to the Government's claim to be committed to establishing a representative system of marine protected areas, which involves the creation of marine parks across a range of bioregions to ensure comprehensive coverage of marine ecosystems and biodiversity?

Mr WRIGHT: The Government is concerned to ensure that the six large marine parks that it has already established are working effectively. As a consequence the Government is focused on rolling out its own planning reviews for those marine parks, commencing with the Solitary Islands and Jervis Bay. In terms of the Hawkesbury shelf bioregion, it is true to say that there is not a multi or large organism marine park in that bioregion. However, there are 10 small aquatic reserves, which are a sample of rocky shores and estuarine habitats. In terms of the Twofold shelf bioregion, only 10 per cent of that bioregion is in New South Wales; the remainder is in Victoria. There is a system of marine national parks in place in Victoria. The Government's focus at this time is on ensuring that the existing marine parks operate effectively.

Mr IAN COHEN: The one that abuts Victoria, there is no intention of having a marine park in that area?

Mr WRIGHT: There is no intention on the part of the Government to establish a marine park in the Twofold shelf bioregion.

Mr IAN COHEN: A number of submissions from groups, such as ECOFishers and the Coastal Rights Association, make the argument that there is no science underpinning the establishment of marine protected areas or marine parks. Having access to the studies referred to on page 10 of the New South Wales Government's submission, can you comment on these allegations and perhaps clarify for the Committee the science behind that?

Mr TOOVEY: There is definitely science underpinning the existence of marine protected areas and they are found worldwide. In New South Wales science has underpinned the declaration and the zoning of marine parks. There has been a broad scale assessment of biodiversity in each of the main regions along the coast.

Mr IAN COHEN: Is that since the establishment of the marine parks? Do you have comparative analysis?

Mr TOOVEY: There is some comparative analysis of some older sites. For example, in the opening statement there was a reference to Fly Point in Port Stephens Great Lakes Marine Park that had been previously protected within an aquatic reserve in that area. There is some before data in relation to that example. There is before data in relation to other locations. What I was going to say is that since 2004 there has been a strategic framework for monitoring and evaluation of marine parks and also a five-year strategic research plan. Those documents have been available on the authority's website since that time and they have underpinned the statewide research and monitoring efforts and also research and monitoring in each of the parks as they have come along.

Those documents were also tabled in the folders that have been provided and they certainly demonstrate that science has been one of the elements of declaring and zoning parks, but as the national guidelines for developing the national representative system indicate, we also do need to consider social and economic considerations, and that has also been done. The submission talks about the process for creating marine protected areas and that process is two steps: there is the identification of candidate sites based on the ecological information that we know about the areas, and the second step, which is one that we have also undertaken, is looking at the social and economic impacts of the park, and that has largely been based around the zoning and its activities that can or cannot occur in different areas of the park.

Mr IAN COHEN: Have you used any older historically more complete studies in any overseas areas looking at sanctuary zone park situations, or the equivalent of, and migration of fish and increase of fishing opportunity in the general zones, I guess using generally what we have in New South Wales, but I am wondering if there is any specific overseas example that the department has been able to access with depth of historical data?

Mr TOOVEY: I suppose I could just make one comment there that one of the frequently referred to marine reserves is the Leigh Marine Reserve in New Zealand, and certainly one of our colleagues at Industry and Investment was very much involved in the early stages of that marine reserve and is now a principal conservation scientist here within Industry and Investment. So there is certainly connection to other marine reserves.

Mr WRIGHT: There is also a document being tabled today which summarises some of the research that has occurred overseas into the benefits of marine protected area establishment, including benefits for fish abundance and science.

Mr IAN COHEN: Who is the gentleman who has had the New Zealand experience?

Mr O'CONNOR: That is Bob Creese. He is not represented here today.

Mr IAN COHEN: Do we have any information specifically on the degree that marine protected areas in no-take zones actually increase the fish stock? Do you have any definitive information on that and, therefore, the quality of recreational fishing opportunities in the surrounding marine areas?

Mr WRIGHT: We do have some information and I have referred to the study of sites that are protected for 20 years, including Fly Point at Port Stephens Great Lakes Marine Park. As I said in my opening statement, observing the ecological change associated with the establishment of marine protected areas can take many years. We are collecting data. We are serious about collecting baseline data and monitoring over time changes in marine biodiversity including fish stocks within marine parks. Some of that information is encouraging but we need to collect more data.

Mr IAN COHEN: The Government's submission highlighted the education of fishers in the wider community as being vital to the sustainability of recreational fishing. However, there have been a number of other submissions in the inquiry that have told us that significant misinformation is being disseminated surrounding the impact of marine parks on recreational fishing. Would you explain how this disconnect came about and what the New South Wales Government is doing to ensure that bodies such as the advisory council and other committees are representing all views on the benefits of marine parks?

Mr WRIGHT: We do have in place, obviously, a State-level Marine Parks Advisory Council, which has representatives from all stakeholder groups, including commercial and recreational fishers. In addition, we have local advisory committees which support the management of each of our marine parks at a local level, again with a wide range of stakeholders including recreational and commercial fishers. They are important conduits for the Marine Park Authority to get the message out to the community about marine parks and how they work and the opportunities that continue to be provided in marine parks for recreational fishing.

In addition, recently the Marine Park Authority has put out a guide to recreational fishing in marine parks, which we are tabling today, as part of a larger education awareness-raising campaign within the community about marine parks and what they mean for recreational fishing. That document makes it quite clear that significant recreational opportunities continue in marine parks and marine parks are not, as perhaps some people who have not been fully informed in the community have been saying, a lock-out in terms of fishing.

Mr IAN COHEN: In the Government's submission 86 per cent of people surveyed for the Who Cares About the Environment 2009 survey either agree or strongly agree that some areas of the marine environment should be protected, even if it means recreational and commercial fishing is excluded. Only 3 per cent strongly disagree. Taking into account these figures, how do we account for the strong minority of voices opposing the conservation efforts in marine parks?

Mr WRIGHT: That is a difficult question for me to answer accurately.

Mr IAN COHEN: Is it a matter of developing more effective communication education strategies during the declaration and zoning of marine parks?

Mr WRIGHT: Certainly that helps. We will contend that the process we go through before establishing and zoning marine parks and after reviewing zoning plans is, in terms of community consultation involvement, extremely comprehensive. It includes publicly exhibiting zoning plans and amendments to zoning plans for three months, running public information sessions, public meetings, meeting directly with stakeholders, placing information on websites, advertising in newspapers—it is quite comprehensive. Having said that, obviously more needs to be done in terms of raising community awareness about marine parks and their impact.

Mr IAN COHEN: Do you find as a government bureaucrat when you are working on researching the best way through that it is just an intractable situation in certain quarters that you cannot really crack and you just go along with the science but some sectors cannot be convinced regardless of the arguments or the leaflets or the information put forward?

Mr WRIGHT: We would hope that by continuing to present factual information that those facts will speak for themselves.

Mr IAN COHEN: What strategies are you effectively using during the zoning reviews, including the recent reviews of Jervis Bay and Solitary Islands zoning plans? Has there been any change, given we have had

some pretty feisty interactions over the years when we are seeing the various stages of declaration of different marine parks and I think it has often been said, "Well, we will get it better next time"? With these ones where are we up to? Are there any other ways of approaching it that are currently now more effective?

Mr TOOVEY: With the current reviews that have been undertaken the first step was to see how the community felt about the zoning plans five years on. The start of the process was really about identifying any issues that the community and different stakeholder groups had. So there was quite an extensive period of consultation. There were a couple of months in which submissions could be made; there was a whole series of local meetings—that was turning up to the Callala Bay Residents Association meeting and talking to them about the zoning plan. Jervis Bay, for example, there were meetings with the stakeholder groups like the commercial fishing sector and recreational fishing interests, and all of those meetings were largely attended by the local marine parks staff. But, as appropriate, local fisheries staff have been involved as well.

At the conclusion of that two-month period there was a large number of submissions. I think, with both parks, somewhere in the vicinity of about 1,7000 submissions came in. What we had done to inform the further progress of the reviews was to summarise what people had said not only in their submissions but what they had said in meetings, and that actually forms part of the Marine Parks Authority's review reform. So we have taken the approach of trying to meeting with as many people from as many different interest groups as we can when we are looking at marine parks.

Mr O'CONNOR: If I can also comment briefly, in essence I think that survey relates to asking a question in the abstract, and when you ask a question in the abstract it is easy to turn around and say, "Well, yes, I agree with that statement". But when you come to the reality, the reality is talking about closure of a particular reef, for argument's sake, in a patch where they actually fish, then yes, you might actually get a different response. I think it is also very important to recognise that recreational fishers and commercial fishers themselves are both very interested in conservation, both very supportive of conservation issues. That is quite recognisable in the way they support our work on habitats, and there is a string of examples of that. Generically, they are not opposed to marine parks per se but when it comes to discussing a particular area then it may be a different issue.

The Hon. LYNDA VOLTZ: Earlier you were talking about marine protected areas and the marine parks being part of marine protected areas. Currently the Federal Government is undertaking a review of marine protected areas. Is that correct?

Mr WRIGHT: The Government is undertaking what it is calling a marine regional plan process for Commonwealth waters around the continent. One of the marine regions they are currently looking at is the so-called east marine region, which I think stretches from Cape York to Tathra, so it is quite a large area of water, so that is from the three nautical mile estate out to the extent of the 200 mile economic exclusion zone. The purpose of that planning process is to, among other things, identify potential areas for marine park area establishment.

The Hon. LYNDA VOLTZ: So it will not in any way deal with the establishment of more marine parks?

Mr WRIGHT: It will propose the establishment of additional marine protected areas in Commonwealth waters.

The Hon. LYNDA VOLTZ: I have another question about netting. We have received some submissions regarding fishing havens and the use of netting. Some people may have expected originally that there would be some estuaries that would be closed off for the netting. I am just trying to find the specific reference in Mr Newbury's submission. "Many in the rec fishing sector hope that the initial 10 years would be followed with action to see if the State's remaining estuaries and bays close to commercial netting with its by-catch problems and impact on juveniles of many species". We also have submissions from people such as Ms Barry Fuller, and a number of submissions from other people on the Macleay River—she has fished there and lived there for 40 years—about the impacts of netting also on those estuaries. Has there been any review of that as part of this marine park review?

Mr TURNELL: Sorry, probably not part of the marine park process but we are continually working with the commercial sector to improve the selectivity of their fishing gear. There are programs and trigger points in place in the fisheries management strategies to monitor by-catch and like impacts. So I guess it is a bit of a

balancing act because the community does expect local and fresh seafood to be provided through commercial opportunities and that has to be balanced with recreational allocations, in particular with estuaries.

The Hon. LYNDA VOLTZ: Another submission that we have received, and we have received a lot from recreational fishing, Mr Dahl says that "due to plague proportions for the past two years bag limit and a legal size on leather jackets need to be removed". Am I correct in thinking that leather jackets do not have a legal size limit on them?

Mr VAN DER WALT: No, they do not. There is just a bag limit, a group bag limit of 20, which was introduced in 2007 as part of a previous review.

The Hon. LYNDA VOLTZ: So would you be surprised if people who are making submissions to a parliamentary inquiry as recreational fishermen do not actually know that there is no legal size on leather jackets?

Mr VAN DER WALT: It is surprising but again we spent a time of money and time and effort on trying to educate the community but there are rules.

The Hon. LYNDA VOLTZ: And once you receive your recreational fishing licence you receive a booklet that would show you the limit sizes?

Mr VAN DER WALT: We provide these recreational fishing guides and other sorts of brochures, which we have tabled, to our recreational fishing licence agents. They are also distributed by our fish care volunteers and fisheries officers. Large numbers are printed each year for distribution free of charge, so a big effort goes in to try to get that message out to recreational fishers.

The Hon. RICK COLLESS: Would you assume then that every fisherman who gets a licence would get one of those, because I have never seen one before?

Mr VAN DER WALT: Ultimately we are relying on the agents to distribute those on our behalf and also it is about coming into contact with those recreational fishers. There are some fishers as well who are exempt from the recreational fishing licence so we are relying on our fish care volunteers and fisheries officers to get it out.

The Hon. RICK COLLESS: The point I am making is that I talk to a lot of fishermen and I go into a lot of fishing shops and I have never seen that publication before.

The Hon. CHRISTINE ROBERTSON: I have. You have to look for it. It is on their top bench.

The Hon. RICK COLLESS: Where?

The Hon. CHRISTINE ROBERTSON: On all of their shops.

The Hon. LYNDA VOLTZ: To follow up on that, they are notified with the licence that those guides are available. You can either apply on the Internet?

Mr VAN DER WALT: You can. There are no specific recommendations about this but these are printed on an annual basis and we do mail-outs to all the agents and we rely on them to advise us if they need top-up copies and we provide them as needed.

The Hon. RICK COLLESS: Can I make a suggestion to these people? When I get my renewal of my licence, which happened not so long ago, why not send out with the plastic card one of those?

The Hon. CHRISTINE ROBERTSON: It is very expensive.

The Hon. RICK COLLESS: That would not cost as much as printing them would cost.

Mr VAN DER WALT: The main issue and the reason we do not do that is because of I guess the additional mailing costs and the packaging associated with it. Currently it is a DL size envelope that goes out.

The Hon. CHRISTINE ROBERTSON: My first question goes back to some of Mr Cohen's questions. Do you think there is a solution to the perception by individuals and groups that they are not adequately or appropriately represented by the peak bodies that you have on your peak advisory processes within both the marine parks and the fishing issues? We are always hearing and understand that peak bodies are supposed to be the representative group but it is very difficult to deal with the perception by individuals that they are not representing them.

CHAIR: Perhaps we better have the Department of Environment, Climate Change and Water answer first and then the Industry and Investment answer.

Mr WRIGHT: I suppose my observation would be that it is often difficult to get a person who can represent the entirety of the stakeholder group. Certainly that is the case with recreational fishing and commercial fishing. It is also often the case with conservation interests as well. We do our best to try to get representatives who can represent as large a cross-section of their stakeholder base as possible. Inevitably we do not always get full coverage.

Mr TURNELL: Just to add to that, with the work that we do in Industry and Investment we have a number of advisory councils. There is the advisory council on recreational fishing. There is representation on that council from a number of different groups. The problem for us in New South Wales is we have approximately one million people who go fishing each year. There are 20 to 30 groups who like to put themselves forward as peak representative groups. Only about 5 per cent of anglers across New South Wales are actually affiliated with those groups. Therefore, 90 per cent or more do not have association with any of the clubs. It is very difficult to get that complete representative structure in any advisory council. It is certainly one of the things we take into account when recommending appointments to the Minister.

The Hon. CHRISTINE ROBERTSON: I have a specific question about Lake Wooloweyah. There has been a long-term campaign to get the prawn trawlers out of the lake. I understand that an enormous amount of work has been done by Fisheries and Aquaculture and the prawning industry to ensure that the bycatch problem is reduced. I would like some good detail on that issue. It appears that the campaign has not been pursued by any particular group—sometimes it has been pursued by environmentalists and sometimes by recreational fishers. I would like information about the kind of issues that arise in that process.

Mr TURNELL: I can provide that.

The Hon. CHRISTINE ROBERTSON: In reference to the Hon. Rick Colless' suggestion about sending out the booklet, perhaps a piece of paper could be provided with the licence stating that the booklet is available. That might address that issue.

Mr TURNELL: We could look at a summary brochure that picks up the key rules that people need to know about. That would fit within the current mailing and distribution costs.

The Hon. CHRISTINE ROBERTSON: It should include a suggestion that the licence holder go and get it.

Mr TURNELL: It should also point out that the comprehensive guide exists for both saltwater and freshwater fishing.

The Hon. CHRISTINE ROBERTSON: I know they send it to some politicians to give out. This issue has also come up in submissions that I have read and in the Government's submission. Page three of its submission states:

Overall the recreational catch equates to around 30 per cent of the total commercial catch by weight. However, the estimated harvest of some popular species such as bream, mulloway, dusky and blue spotted flathead accounts for around 70 per cent of the total harvest of those species.

How is the recreational catch estimated? No-one asks me how many fish I catch—unless I get caught for doing something naughty, which I do not.

Mr VAN DER WALT: Those estimates were obtained from the 2001 national survey of indigenous and recreational fishing. It is based on that survey and the New South Wales components of it, which included a diary survey and a phone survey.

The Hon. CHRISTINE ROBERTSON: What was the methodology for selecting people to be surveyed?

Mr VAN DER WALT: I am not sure of the actual methodology used, but it would have been done on a random basis. I think it may have been based on the White Pages.

Mr O'CONNOR: There were two aspects. The first was a telephone survey, which identified the proportion of individuals contacted who fished. If they did fish, they were asked where they fished and what species they caught. They were asked follow-up questions and if they said they caught specific species they were asked further follow-up questions. As indicated, that was complemented by a detailed diary of daily fishing events kept by a string of recreational fishers. That information was used to provide estimates of what species were caught and in what numbers. By comparing that with what we know about commercial catches we got an estimate of the proportion of the total catch taken by recreational fishers.

The Hon. CHRISTINE ROBERTSON: I still think the methodology must have been very interesting.

Mr O'CONNOR: It is complex.

CHAIR: When was that done?

Mr VAN DER WALT: The survey was undertaken over a 12-month period from 2000 to 2001.

CHAIR: So that information is nine years old.

Mr VAN DER WALT: Yes, that is right.

The Hon. CHRISTINE ROBERTSON: But that was also before the commercial fishers were bought out. As a result, the comparisons would be difficult to do now.

Mr TURNELL: It could well be because commercial catch rates have remained stable and recreational fishing has potentially become more popular. We have noticed increases in licence sales and participation as people retire to coastal areas.

The Hon. RICK COLLESS: Is that because a few years ago you did not need a licence and there was very little information about the number of fishers and the catch they were taking? Do you now have better information to indicate an increase?

Mr TURNELL: I do not think so. The recreational all waters fishing licence has been around for some years, so we have a pretty stable snapshot of the numbers. We can certainly provide information about trends in licence sales since their introduction if that would help.

The Hon. RICK COLLESS: I think it would.

Mr IAN COHEN: I am surprised that you mentioned that commercial catches have remained somewhat stable. There has been a sustained effort in New South Wales to buy out aspects of the commercial sector. As a result I would expect a decrease in the effort in that sector. In fact, I have had complaints from commercial fishers who have been bought out.

The Hon. CHRISTINE ROBERTSON: Those complaints have also been voiced in some submissions.

Mr IAN COHEN: For example, commercial fishers were ousted from a prominent kingfish area on the South Coast and within weeks amateur fishing competitions were held in the same area. Would you care to comment on the level of commercial effort and activity and the fact that we are not necessarily getting conservation but a transfer of the effort across to recreational fishers, which is not necessarily benefiting the environment?

Mr TURNELL: That issue has been raised about recreational anglers absorbing opportunities created by the buy out of commercial fishers. It is certainly one of the challenges that I am sure our colleagues in the

marine park area are trying to address. With respect to commercial catch rates, we need to take into account the actual catch rate and the catch per unit effort as well as the total catch in working out whether we consider catches to be at stable rates.

The Hon. CHRISTINE ROBERTSON: The submission indicates that for some species, for example bream, a daily bag limit of 20 per day applies. Many of the submissions complain about the bag limit and state that it is excessive. Is that limit per individual fisher?

Mr VAN DER WALT: Yes, it is 20 per person per day.

The Hon. CHRISTINE ROBERTSON: What will a recreational fisher do with more than 20 bream caught in one day? What is the reason for the perception that they should be permitted to catch 40 bream?

Mr VAN DER WALT: It is a longstanding bag limit. Bream are a small species. Although it sounds excessive, if a person caught the bag limit he or she could make use of that harvest and share it with their family.

The Hon. CHRISTINE ROBERTSON: You are being very kind to greed. The issue is raised repeatedly in the submissions. I think that if I caught five bream we would have a good feed for a week.

Mr O'CONNOR: It is a question of balance and different people have different perceptions about where that balance should lie. Some argue for higher bag limits and some argue for lower limits. We are trying to negotiate a sensible outcome. We do reviews of bag limits roughly every five years. It is a very consultative process and we look for consensus about where we need to go.

Mr TURNELL: In the past studies have also shown that it is a relatively small number of anglers that take most of the catch in the recreational sector. A lot of people are out there for the enjoyment and are not necessarily harvesting significant numbers of fish, while a smaller group know what they are doing. I suspect that the bag limit being capped at 20 would be an issue for a relatively small number of highly skilled people.

The Hon. TONY CATANZARITI: In your submission you say that the next review of the Recreational Fishing rules will commence in 2011 and that the process will involve consultation and input from the Advisory Council on Recreational Fishing and the broader community. Who will input from the broader community? How will that input from the broader community be gathered?

Mr VAN DER WALT: It will be a very similar process to the current consultative processes that happen with marine parks. We develop a discussion paper with options, print large quantities of those discussion papers and then distribute them to the community. There is a submission period where people can then review the proposals and provide comments back to the department. The discussion paper is widely distributed. It is sent to fishing clubs. It is distributed by Fish Care volunteers. It is available on the Internet. It is sent to licence agents as well to distribute so I guess the intention there is to try to get it out as widely as possible.

The Hon. TONY CATANZARITI: When I have talked to inland people they say they do not get a lot of information. Is that a problem with getting the surveys out?

Mr VAN DER WALT: Yes, it is certainly challenging to get the message out. We do have a large number of licence agents in the inland. We have approximately 1,000 agents across New South Wales and part of the licence network ideally is to provide an agent network firstly to purchase a licence but also that licence agent network provides a median to distribute that information to anglers. Obviously the inland is a lot more challenging than the coast.

The Hon. TONY CATANZARITI: I am not a fisherman but I believe there are two lines for each person, is that right?

Mr VAN DER WALT: Yes, on the inland.

The Hon. TONY CATANZARITI: Is that sufficient? I hear grumblings that there should be more allowed. What are your thoughts?

Mr VAN DER WALT: That was reviewed as part of the last bag and size limit review. On the inland it is two, which is based on the freshwater fishing scenario in a river. On the coast it is four lines per person.

The Hon. CHRISTINE ROBERTSON: It would be good if you could stop them putting out their nets.

Mr VAN DER WALT: It is based on assessment on the actual resources on inland and on the coast as well.

Mr TURNELL: It is one of the debates the recreational sector often have about the right to harvest. Is it harvesting or is it angling? Is it fishing? It is a debate, leaving aside marine parks and commercial fishing, that is often held within the recreational sector. There was a lot of interest in the issue of set lines at the last bag and size limit review.

The Hon. TONY CATANZARITI: In relation to commercial and recreational fishers what is the balance? Is it where you would like it to be or does more work have to be involved?

Mr TURNELL: I guess it is one of the challenges we deal with all the time trying to balance with industry and the social fabric that the commercial industry provides in many small coastal towns to supply fresh local seafood. A lot of people see it as an important thing. A lot of people enjoy seafood, in particular, local as opposed to imported seafood who cannot go out and catch it themselves. I think there is an important place for the commercial industry. The recreational industry has benefited, I guess, in recent years with the establishment of recreational fishing havens and some of the projects and programs funded by the recreational licence. I see it as an ongoing balancing act and personally I am quite comfortable with where it is at the moment.

The Hon. TONY CATANZARITI: You mentioned the importation of fish. What percentage of fish is imported as compared with locally caught fish? I know it changes with the types of fish.

Mr TURNELL: I guess there could be a few answers to that question, if we are talking about fish that is actually processed through the Sydney Fish Market or fish that we believe is consumed within New South Wales. I will take that question on notice and provide an answer.

Mr O'CONNOR: Basically it is about 60 per cent of the fish consumed in Australia is imported from overseas. A significant proportion of fish that is consumed in New South Wales also comes from elsewhere in Australia.

The Hon. TONY CATANZARITI: Does New South Wales export much fish?

Mr O'CONNOR: We do not export big quantities of fish from New South Wales. We have a coastline with is fairly narrow, a very narrow continental shelf, reasonably poor in nutrients so we do not have big quantities of large fisheries but what we do have is a great diversity of fisheries in New South Wales. Most of the fish that we catch are sold locally but there are quantities exported as well, particularly abalone.

CHAIR: Are you referring to New South Wales waters, to the three nautical miles, or to waters off New South Wales in the Federal zone?

Mr O'CONNOR: I was basically referring to New South Wales waters.

The Hon. CHARLIE LYNN: A number of submissions raise the issue that there are not enough Fisheries officers to ensure compliance with rules and regulations. Do you have a comment on that?

Mr O'CONNOR: I guess there are never enough. If you ask the same question of police officers, teachers or hospital workers there is never enough and the same applies to Fisheries officers but what we do with our staffing is to try to work strategically. We plan very carefully. We try to identify those areas where we see compliance difficulties and we target those with planned operations.

Mr WRIGHT: Staff in Environment, Climate Change and Water work closely with staff of Industry and Investment in compliance activities and marine parks and adjoining waters. We have a MOU between the two agencies and agreed consistent compliance and enforcement protocols across the two agencies.

The Hon. CHARLIE LYNN: A number of submissions have also argued that some gear restrictions such as electric reels should not apply to certain groups, such as the disabled or elderly. Is it possible to allow and regulate exemptions such as that?

Mr TURNELL: The issue of electric reels was raised and discussed at our last Advisory Council on Recreational Fishing. There was fairly strong support to refer it again to the review of bag and size limits. There was a lot of thought that it actually does amount to harvesting as opposed to angling. A small number of people are quite passionate about the use of electric reels and they think they are a good thing.

Mr IAN COHEN: Are they recreational fishers with disabilities or are there other sectors that have this passion for the electric reel?

Mr TURNELL: Other sectors other than people with disabilities. We would certainly be looking at any arrangements to work with people with disabilities. We are not trying to actually preclude people; we are just trying to devise the right set of rules for fishing.

The Hon. RICK COLLESS: Would you include older people in that as well?

Mr TURNELL: We potentially could, yes. It is one of the things we will consult on in the next review of bag and size limits, if they are to remain and have a role within the recreational fishing industry, exactly who should be entitled to use them.

The Hon. CHARLIE LYNN: The submission notes on page 14 that the Advisory Council on Recreational Fishing is not an independent recreational fishing representative or lobbyist group. A number of submissions from the recreational fishing sector have called for the establishment of a single peak recreational fishing representative body. Do you think a single body is needed to effectively interact with the recreational fishing industry?

Mr TURNELL: I think a peak single body would be a good thing. It is a difficult question to answer without seeing the structure proposed but independent representative bodies, in my view, have to be independent of government. We are looking at similar arrangements with the commercial industry to see if that can improve communication and information flow. The Advisory Council on Recreational Fishing certainly is not an independent representative lobby group; it is an advisory council for the Minister on matters to do with recreational fishing.

The Hon. CHARLIE LYNN: How do you currently interact?

Mr TURNELL: With the advisory council?

The Hon. CHARLIE LYNN: Yes, with the industry?

Mr VAN DER WALT: There is the formal consultation that we do with our advisory council. There are a range of major recreational fishing organisations and fishing clubs. We maintain a comprehensive database of fishing organisations. Currently there are around 900 fishing clubs and organisations on that database throughout New South Wales. Of the 900 there are around 20 to 30 major recreational fishing organisations. We do mail outs to those fishing clubs and organisations when necessary. We have a recreational fishing newsletter called *Newscast*, which is sent out by email to anyone who wants to receive it, and again there are a lot of recreational fishing clubs and organisations on that email distribution list.

The Hon. RICK COLLESS: If I can turn to the issue of Port Stephens and the Great Lakes Marine Park, there has been a lot of discussion about that issue and the impact on fishing there. I noticed in this magazine you provided us with today that New South Wales marine parks are good news for anglers. Why do you think there is still a lot of anger out there amongst the recreational fishing industry about the marine park proposals?

Mr WRIGHT: As Paul O'Connor said earlier, in putting in place a zoning plan we are targeting high biodiversity value elements of the marine environment. Sometimes that means that areas popular for recreational fishing are no longer available for recreational fishing. So, there is always going to be a change process that has to be gone through in terms of zoning plans and community adjustment. I think that often takes some years to

bear down. I think we are probably seeing some of that change and its impacts on elements of the recreational fishing community.

The Hon. RICK COLLESS: A comment I frequently get—and you can tell me what the figures are; I cannot remember them—is that the marine parks only remove fishing from a certain percentage of the total area of the marine parks in the no-take zones, but the fishermen will tell you that that is where the fish are and that is where they catch the fish. They can still go and fish on the sand flats on either side of the reef but the reef is where they want to fish. What comments do you have to those comments I have been receiving, and it is also mentioned in the submission? How do you think you can resolve that criticism that the fishermen have that they are only allowed to fish where there is no fish?

Mr WRIGHT: What the Government is trying to do in putting in place these its zone plans is, wherever possible, avoid impacting on the high popular recreational fishing sites. As I indicated in my opening statement, I think at Port Stephens Great Lakes Marine Park, but also at Batemans and Jervis Bay, up to 80 per cent of our iconic recreational fishing areas have been avoided, have not been zoned as sanctuary zones, as part of the zoning plan process. The Government, the Marine Park Authority, has been as responsive as it can to issues raised by recreational fishers about where they fish and has attempted, where possible, to not impact on those areas.

The Hon. RICK COLLESS: One of the submissions we received gave us some figures on the fish takes, both commercial and recreational, over different time periods. For example, one was in St Georges Basin. It gave us figures for 1954-55 to 1972-73 as taking 113,000 kilograms per year average, and from 1973 to 1991-92 taking 112,000 kilograms per year on average, which are very similar figures. Have you any information about the change in the number of fish and the size of the fish taken now as compared to what was taken, say, 30 or 40 years ago?

Mr TURNELL: Is that question specific to St Georges Basin?

The Hon. RICK COLLESS: No, it is a generic question. This submission raised quite a few different geographical areas. I wonder whether the historical information you have describes fish numbers and species and sizes, obviously, compared to what is being taken now?

Mr TURNELL: In particular it talks about weights being taken out of certain areas?

The Hon. RICK COLLESS: Total weights.

Mr TURNELL: And numbers and sizes. Certainly there is that information going back some time. I do not have it here with me, unfortunately.

The Hon. RICK COLLESS: Can you give us any idea what that trend is? Are more fish being taken of a smaller size now than there were 30 or 40 years ago?

Mr TURNELL: I would have to take that on notice.

CHAIR: Anything you can provide would be gratefully received.

Mr IAN COHEN: In line with that, when you say 30 or 40 years ago, can we also have a more recent example, that is, prior to the establishment of the marine parks, perhaps, five years ago or something in that timeframe which would also indicate the quality of the fish stock, whether it has run down as a result of the lack of regulation? It is difficult to compare what was there 30 years ago to the depletion that has been occurring for generations.

CHAIR: Any advice you can provide will be gratefully received.

Mr IAN COHEN: Following on from the questions on the compliance officers that Mr Lynn was asking, in terms of fishery compliance officers, what is—is it possible per hectare—the supervision of New South Wales coastal waters and inland rivers by compliance officers? I understand it is about 92 officers divided by the total hectares of New South Wales coastal waters and inland rivers? If that can be done, how does that compare to other Australian States in the number of officers for the area that has to be covered? Does New

South Wales have a higher compliance presence considering the size of New South Wales coastal waters and inland rivers compared to other State jurisdictions?

Mr O'CONNOR: Again I think we have to take that on notice. I have never seen an analysis on a per hectare basis. I think New South Wales has the highest number of compliance officers in Australia, but on a per hectare basis, I do not know.

Mr IAN COHEN: In general terms, I was on a former fishing inquiry of this Parliament—10 years ago I think—and there was a lot of concern at that time particularly from the commercial sector about "shamateurs" and the considerable take they were getting and then on-selling it to the local industry and suchlike. I wonder, under this new regime and with the number of compliance officers involved, has that made an impact on what was seen as a pretty big black-market operation, which not only was economically pretty dodgy but also was having an impact because it was going for whatever they could get? Can you comment on that at all?

Mr O'CONNOR: Certainly illegal fishing, black marketing, has been a concern in New South Wales for many years. Some years ago, approximately five years ago, Mick Palmer from the Australian Federal Police, did a review of that issue in New South Wales. He came up with a series of recommendations, some of which have recently been enacted in Parliament—a string of recommendations in relation to how we can better ensure that black marketing is properly addressed. We have a very strategic approach to it; we have a major focus. Our compliance actions are centred around illegal fishing and how we can target that. For instance, we try to match the information we get from commercial fishers about what they catch with information we get from the post-harvest community, the co-ops and the Sydney Fish Market and so forth, about what sales of fish they work with.

We try to match up those two and we do operations that relate to that. In essence, it is an ongoing program and an ongoing problem in New South Wales. It has been a particular problem over the years with higher value species generically, but we try to attempt it very strategically and simply we have some increased legislative powers, which were mobilised to be even more effective in the future.

Mr IAN COHEN: Does the Marine Parks (Zoning Plans) Regulation help with that level of compliance checking and such like?

Mr O'CONNOR: In essence, the Marine Parks establish a set of rules, but those people who are black marketing are willing to avoid those rules wherever they apply. So I do not think it necessarily affects it.

Mr WRIGHT: Reiterating on the point I made earlier, the staffing of the Department of Environment, Climate Change and Water involved in compliance and enforcement, we have more than 10, and if you count some of our managerial staff up to 20, staff on the water in marine parks up and down the coast, who are cross-authorised to enforce both the Marine Parks Act and the Fisheries Management Act. In terms of providing some additional enforcement grunt, I suppose, to ionise efforts, those staff are also available.

Mr IAN COHEN: So they are not fishers; they are marine park officers?

Mr WRIGHT: Correct.

The Hon. CHRISTINE ROBERTSON: But they have an agreement.

Mr IAN COHEN: I appreciate they are in addition to the Fisheries officers. There are compliance officers from Fisheries?

Mr WRIGHT: That is correct.

Mr IAN COHEN: On page 13 of your submission, you state that the compliance level of recreational fishers is 88 per cent. How reliable is that compliance level? How do you measure it and can you give an idea of the scale of non-compliance in a percentage like that in terms of overfishing impacts? For example, how many tonnes of a particular fishery or a particular species are confiscated?

Mr O'CONNOR: We keep detailed records. No only do we do detailed planning for our compliance operations, we also report on detailed information. Every time we go out and inspect a recreational fisher, we

keep records of it. So, that estimate of 88 per cent is an indication that for every 100 anglers that we look at, 88 per cent of them are doing the right thing. Of those who are not, we keep records of exactly how they are not complying

Mr IAN COHEN: How does that compare with other States?

Mr O'CONNOR: I am not aware of those statistics, but I can find out.

Mr IAN COHEN: Would you take that on notice?

Mr O'CONNOR: Sure.

Mr IAN COHEN: What is the impact of 12 per cent non-compliance on achieving sustainable fisheries? Is it a major factor?

Mr O'CONNOR: The non-compliance is something that varies from fishery to fishery and from year to year and from season to season. So, 88 per cent is a broad descriptor. In essence, we find very good compliance with recreational fishers and the bulk of the 88 per cent where we find non-compliance relates basically to either the purchase of a licence, the carrying of a licence on a person, or to a much more extent about the size limit and bag limit.

(Short adjournment)

Mr IAN COHEN: Of the 92 Fisheries compliance officers, how many identify as Aboriginal?

Mr O'CONNOR: I am not sure of the exact numbers. There are several, but it is fewer than 10.

Mr IAN COHEN: Are compliance officers generally provided training on managing Aboriginal cultural fishing?

Mr O'CONNOR: The answer is yes. We have some training for our compliance officers in terms of sensitivity with regard to understanding the way indigenous fishers view issues, so we do have discussions about those issues to make sure that we are applying things in a fair and sensible way.

Mr IAN COHEN: I remember in another inquiry there was representation from South Coast Aboriginal commercial fishers, who described to the inquiry how, with their traditional knowledge, they were able to move around and harvest the fish on a seasonal basis, they believed sustainably, but they were actually at odds with some of the rules and regulations. Has that been examined in detail recently. I remember at the time there was frustration because they felt their traditional way of fishing was significant in terms of conservation fishing, yet they were being locked out and penalised as a result of that?

Mr TURNELL: There are a couple of things happening at the moment with respect to Aboriginal commercial fishing in particular. There has been a research program approved for funding that will look at the suite of rules that currently apply and how they affect traditional Aboriginal commercial fishing operations and also look at establishing different and more flexible arrangements for Aboriginal fishers to participate in commercial fishing. Commercial fishing is an attractive form of employment for a lot of Aboriginal people and we are looking at opportunities to expand those roles and make them fit in better with traditional Aboriginal culture.

Mr IAN COHEN: Could you give recent examples of fishing closures, even in the form of a fishing area or gear restrictions? Could you explain the process leading to closures and the enforcement of closures?

Mr TURNELL: Is that the establishment of closures?

Mr IAN COHEN: Yes?

Mr TURNELL: Fishing closures need to be gazetted if they are happening as part of normal process. There are special arrangements if there are emergency closures, and they might be needed for pollution or natural events that are not foreseen. There is a process of consultation with local affected groups. We generally know who they are with respect to commercial operators and aquaculture operators; it is a little more difficult

with recreational fishers, but there are certain requirements to advertise so that the establishment of a fishing closure is well known.

We also advise any of the relevant advisory groups and also through the Fisheries officers, who provide community input. If there is an emergency closure we will often speak with the compliance people about having sensible discretionary powers applied to them so that we are not necessarily tripping up people who maybe otherwise unaware of fishing restrictions. That is generally the process.

Mr IAN COHEN: Regarding fishing trust expenditure, is there a broad investment or funding philosophy for the recreational fishing trusts? If that is the case, what would that underlying philosophy be?

Mr VAN DER WALT: The underlying philosophy would be that those funds are raised to provide funding for programs to improve recreational fishing.

Mr IAN COHEN: Would you agree that consistent with the principles of ecologically sustainable development, investment philosophies should be based upon a hierarchy that prioritises research, then compliance and enforcement and then resource development?

Mr TURNELL: Basically with respect to the funds held in the recreational trusts, there are two groups that provide advice on how they should be spent.

Mr IAN COHEN: There are two trusts, is that right?

Mr TURNELL: There are two trusts. There is one for freshwater and one for saltwater. There are significant allocations towards habitat protection rehabilitation programs as well as compliance. One of the main priorities for the trust funds as set out in our legislation is for improving recreational fishing opportunities and certainly the habitat work plays a key role in that, as does the compliance.

Mr IAN COHEN: And research?

Mr TURNELL: Research also. There is research funded and there are also significant education programs, volunteer programs and school-based programs. All of these are designed so that people who will be the recreational fishers of the next decade or so understand responsible fishing and how they can play their part in the broader management of not only fisheries but also the habitats upon which they rely.

Mr IAN COHEN: And you are comfortable that both these trusts achieve this prioritisation?

Mr TURNELL: Not necessarily the prioritisation you were speaking about, but the prioritisation as set out in the legislation with respect to improving recreational fishing.

Mr IAN COHEN: To what degree does the hierarchy and the objects of the Fisheries Management Act guide funding prioritisation?

Mr TURNELL: I would have to have a look at—I understand how the objects are set out but the way the provision within, I think it is our regulation that talks about what trust funding can be allocated for—whether that is presented in a manner that is consistent with the way the objects are set out.

Mr IAN COHEN: Perhaps you can take that on notice and also is it consistent with the objects of the Act to be giving more funding to recreational fishing enhancement programs compared to habitat protection and research?

Mr TURNELL: I will take that on notice.

Mr O'CONNOR: I make this comment. In essence, as Peter said, there are two committees, which determine priorities. The other thing that happens, though, is we undertake surveys of recreational fishers to try to get some general indication from them as to what sorts of programs they want funded and that is used as guidance for the committees as well. In terms of whether the specific priorities should be research versus management versus habitat versus stocking programs, I think what we try to do is to try to get the balance about right. I think recreational fishers generically, judging by the survey results and the committees, in particular, basically I think the balance is about right. We get some really good research funded. For instance, we have

done some great research on the survivability of fish that are released after capture and that is just a typical example of the sort of key research which has been done and which guides management actions.

Mr IAN COHEN: Are you talking inland or marine as well?

Mr O'CONNOR: Marine as well. Indeed, there is some information in our submission on that.

Mr TURNELL: With respect to the funding that is allocated out of the recreational trusts towards conservation management measures, a lot of that funding, whilst being a smaller amount that might be allocated to fishing enhancement, is able to be used to leverage off additional funding from other providers. There is a significant amount spent on conservation-based work that is driven by the initial allocations out of the recreational trusts. It is a little more difficult for us to leverage funding for the deployment of artificial reefs and development of artificial reefs. It is difficult for us to leverage funding off other providers because it is specifically for one group of beneficiaries, which are recreational fishers.

Mr IAN COHEN: The Government claims to have spent—I guess it is along the same line—\$42 million on the management of recreational fishing in 2008-09, a quarter of which was funded by the recreational fishing trusts to improve recreational fishing opportunities, however, the Government has only allocated \$900,000 to research projects and even less, some \$500,000, to saltwater aquatic habitat protection and the infiltration in 2009-10. Could you take on notice to provide detail on how the percentage of expenditure is decided, including the decision-making process for community expressions of interest in relation to trust funding? You have answered that in part, but perhaps you could get more detail for me?

Mr O'CONNOR: Of that \$42 million roughly \$16 million is expenditure from consolidated revenue and another \$13.5 million is expenditure from the recreational trusts. A lot of the remainder of the money is related to grant money that is being used in research for joint activities with catchment management authorities [CMAs] and so forth, which relates to habitat issues. What you are quoting for our expenditure on habitat-related issues is probably a significant underestimate of what is actually spent. The \$42 million relates only to expenditure by our department. There is expenditure by other departments, for instance, by State Water on fish bays, which is also relevant to recreational fisheries.

Mr IAN COHEN: What is the current situation with Aboriginal representatives on fishing trusts and advisory committees?

Mr VAN DER WALT: There is one Aboriginal representative on the Advisory Council on Recreational Fishing.

Mr IAN COHEN: What region does that person come from?

Mr VAN DER WALT: Sydney.

Mr TURNELL: There have been recent changes to legislation, which Paul O'Connor touched on earlier, which provide for the establishment of an Aboriginal advisory council for fisheries. That will obtain more comprehensive regional representation. We have just been negotiating with the New South Wales Aboriginal Land Council and the Native Title Services Corporation as to where those boundaries should exist. They have recently come back to us with proposals on those boundaries so a specific advisory council for Aboriginal interests in both recreational and commercial fishing will be established shortly. We envisage that representatives from that group will participate in other consultative forums so that we have that linkage across the different groups and sectors feeding straight back into a dedicated Aboriginal advisory group.

Mr IAN COHEN: The New South Wales Government is spending money to improve recreational fishing through native fish stocking. Can you explain the scientific basis for the use of fish stocking and how this supports the sustainability of fisheries? Is there any particular breed that is doing well?

Mr O'CONNOR: As a generic comment, most of the stocking of native fish that we undertake is into impoundments—not exclusively, but much of it.

Mr IAN COHEN: Inland waterways and so forth?

Mr O'CONNOR: Yes, so what we have done is recognise that inland impoundments are basically areas where native fish would not breed naturally, so you will not have self-sustaining populations. We create new fisheries in effect with those stocking programs.

Mr IAN COHEN: This is for recreational purposes primarily?

Mr O'CONNOR: That is correct.

Mr IAN COHEN: Is there any example of stocking that is looking at bringing back specific species in a more natural environment or one where they can build up to sustain, or is it a little like the acclimatisation societies where the stocking just kept on going to keep the recreational stock up?

Mr O'CONNOR: There are specific examples and I guess the classic case is trap cod, which is a threatened species, as I think you are all aware. We have tried to reintroduce it into those areas where it formerly existed, and indeed it has been a very successful program.

The Hon. RICK COLLESS: Are those populations surviving on a sustainable basis?

Mr O'CONNOR: My understanding is that they have bred. Whether they would be sustainable on the basis of that self-breeding alone I cannot tell you at this stage.

CHAIR: On a point of clarification, is the centre point of that particular program from Mulwala to Tocumwal?

Mr O'CONNOR: That is correct.

Mr IAN COHEN: The Government's submission shows that the Government supports recreational fishing programs in accordance with ecologically sustainable development [ESD]. Given the potential environmental impacts of programs such as fish stocking, fish aggregating devices and artificial reefs that are funded in this way, can you explain how these programs meet the ESD objectives?

Mr TURNELL: With respect to the offshore artificial reef program, we are currently preparing an environmental impact statement, likewise with marine fish stocking, to ensure that ESD principles are met.

Mr IAN COHEN: I think the Government has confirmed—correct me if I am wrong—that 6.7 per cent of New South Wales coastal waters are covered by sanctuary zones, which I understand is quite significantly below the international recommendation. The Government's submission also confirms that marine protected areas provide better protection of biodiversity and have beneficial flow-on effects to marine population health. Why is it then that the Government continues to flow against the scientific community by not increasing sanctuary zones within New South Wales marine parks?

Mr WRIGHT: The New South Wales Government has not adopted targets for marine park coverage, marine protected area coverage or no-take zones, so there are no quantitative targets. In fact there are no quantitative targets at a national level either.

Mr IAN COHEN: So you cannot compare that with other States? Do you not have that sort of information?

Mr WRIGHT: We can do a comparison on no-take zones in other States.

Mr IAN COHEN: Perhaps you can take that on notice and we can get comparative figures. Is it possible to obtain, or reasonable to ask for, comparative figures for New Zealand, Canada and the United States?

Mr TOOVEY: We can look at that. We certainly should be able to do that for Australia.

Mr IAN COHEN: I would appreciate it if you took that on notice. Would you explain why an environmental impact statement was required for the commercial fishing sector yet an EIS has not been undertaken for the recreational fishing sector?

Mr O'CONNOR: There are several answers to that. The first is that there was a requirement of the legislation and a requirement for negotiations, which grew out of a particular court case. Commercial fishing is allowed to use a wide range of techniques that are not available to recreational fishers. Recreational fishers generically can use one, two or several individual fishing lines or they can use one lift net or one trap. The quantity and type of gear available to recreational fishers is very limited whereas commercial fishers are allowed to use very large quantities and very long nets.

They are allowed to use a variety of types, some of which trawl over the ground and some of which are mid-water, et cetera. Commercial fishers are given a whole bunch of privileges that may have greater environmental impacts than the recreational fishers. The focus of those environmental impact statements really was on understanding whether those fishing types and the quantities of gear fishermen were allowed to use were sustainable or not. The type and quantity of gear recreational fishers are allowed to use is much less, so we did not believe it was necessary to undertake the EIS in the same way. We did identify certain activities, such as fish stocking, which arguably could have a much greater environmental impact, so we did undertake environmental impact statements on those sorts of activities. It has been a question of identifying the issues and then addressing them appropriately.

Mr IAN COHEN: I appreciate what you are saying, Mr O'Connor, but I wonder whether you would recognise that there is a level of inconsistency when we consider that according to New South Wales Fisheries data—there was a full table in the Manly Council submission—recreational takes for a significant number of species are much higher than commercial fishing yields. I did not get an answer to an earlier question, and I can appreciate that it slipped through. There was a particular example when commercial fishing was banned—I might be wrong here—in the Pinnacles at Ulladulla, with regard to the commercial trapping of kingfish. There was quite a controversy about that issue and it came before the inquiry at the time. That effort was cut and was then replaced by amateur fishing competitions. There was a lot of concern about that in the commercial sector at the time. My understanding is that recreational takes for a significant number of species is higher than commercial fishing yields, in certain species. Could you illuminate us on that? Whilst we can speak about overall, in certain areas it is certainly quite substantial, if not greater.

Mr O'CONNOR: The focus of those environmental impact assessments really related to gear types and their impact. When you are talking about the total catch, yes, it is true, recreational fishers, particularly of some species, take a very significant portion, or even the bulk of the catch with some species. But issues of what is sustainable in terms of catches are something that we review every year. We constantly monitor catches, and monitor the size of fish that are being caught, so that we can assess whether or not what is happening out there in the wild is sustainable. I will get Peter to mention briefly some of the processes we use. We do that review every year. We do the review in conjunction with the recreational and commercial fishers, to make sure that not only are we looking at the data that is available but we are also making sure that we are interpreting that data correctly so that we identify where there is a problem.

Mr IAN COHEN: If you are interpreting that data, perhaps you could comment on how the findings and outcomes would be incorporated into the Fisheries Management Act and the Threatened Species Conservation Act?

Mr O'CONNOR: With regard to commercial fishers, we have an array of management tools which allow us to manage the size of their catch and the areas in which they can fish. With recreational fishers, we have in particular a key tool with bag limits. But also, I guess size limits is another key tool which applies across both those areas. If, for instance, in our monitoring of fish populations we find that the size of a catch has dramatically shrunk, and we are concerned about whether or not the fish is still sustainable from a breeding point of view, we then ramp up the size limits and provide greater protection, so that can apply to both. So there is an array of tools which are available to us.

Mr TURNELL: The example you gave about the traps and the kingfish might be Montague Island.

Mr IAN COHEN: Yes. That is off Ulladulla, is it not?

Mr TURNELL: Off Narooma, on the South Coast. I think that is the example to which you were referring. There has been an increase in the recreational catch of kingfish in that area, in particular. In fact, the size limit for kingfish was increased recently as well, in response to a number of comments, concerns and information we now have about kingfish. So we do have those tools, as Mr O'Connor mentioned, to respond where needed.

Mr IAN COHEN: In that respect, you are saying the size limit is an effective conservation tool?

Mr TURNELL: It can be. It is part of the package, yes.

CHAIR: May I seek a point of clarification? Mr Turnell, in assessing that you required a size increase for kingfish, I take it that is coast wide—in other words, one size limit up and down the coast?

Mr TURNELL: Yes.

CHAIR: Generally speaking, what is the current health of the kingfish fishery? Is its sustainability in question anywhere on the coast?

Mr TURNELL: Not to my knowledge, no. If I could describe the processes we were referring to earlier, about the resource assessment. Each year we will go through a process of resource assessment. We will look at the information that is available, including the catch rates and any other anecdotal information. We will get all the data we have internally from our catch records and our scientists in any work they have been doing. We will then consult more broadly with user groups, such as recreational fishers, commercial fishers, Aboriginal fishers, and anyone else that may have a stakeholding in the resource, and we will work through different species to try to work out if there are problems.

When there are indications of change, it may not always be a concern about a species. From time to time markets for fish, in particular export markets or local markets, may change. That may influence fishers, and in particular commercial fishers, to target more of those species, or less to none of those species. So there are a number of factors, other than just the health of fish populations, that may effect change. This process is a bit all-inclusive, where we take into account all of those variables. We will then identify any species that do require special or specific actions. They can be dealt with either through the bag and size limit review—but that does not happen every year—and we can also establish resource planning groups to deal with particular species or small groups of species when we do have concerns about sustainability or about whether the current set of management rules are appropriate or not.

Mr IAN COHEN: Some submissions argue that pollution poses a greater threat to fish stock sustainability and species biodiversity compared with recreational fishing. Considering the context of New South Wales marine parks, how correct is this, given that the data from the Department of Environment, Climate Change and Water suggests that almost all estuaries running into marine parks are in good or very good health? Is it more that certain recreational fishing groups have transplanted arguments from campaigns against the Great Barrier Reef rezoning and tried to apply it to the context of marine parks in New South Wales without any empirical data support, or would you disagree with that?

Mr WRIGHT: I am unable to quantitatively respond to that question, in terms of whether one impact is greater than the other. What I can say is that the Government is concerned to ensure that the quality of our marine and estuarine waters meets targets it has set under the State Plan, and consequently has expended significant money through catchment protection works and pollution reduction programs. But I cannot respond to your question: Why can you not give a qualitative answer in terms of the relative impact of land-based pollution versus fishing effort on the marine environment?

Mr IAN COHEN: Perhaps you could take the question on notice?

Mr WRIGHT: We could take it on notice.

Mr IAN COHEN: With regard to that aspect, I am wondering if anyone could report to the Committee, either by taking the question on notice or giving a position. We have some major areas. Two that come to my mind are the very slow inundation of the Hexham Swamp and also the Tuckean area in northern New South Wales, which is a process of re-inundation of these historically plain farmlands. Does that feature in establishing sufficient fish stocks, in terms of the work that is being undertaken in your departments? Or are we looking at a separate program there?

Mr O'CONNOR: The answer is that, yes, the department regards those opportunities as being very important. As I think I indicated in my opening statement, and I think in our submission as well, we view habitat issues as very important. If you do not have good habitat, you do not have good fish populations. That is why

we in our department put quite a lot of effort into protecting existing fish habitats, but also into restoring degraded habitats. The department has been very heavily involved in both those cases, in the Tuckean area and the Hexham Swamp. The reality is that historically those areas have been very important. If we can restore their contribution to the fishing environment fish populations will improve.

Mr IAN COHEN: I have had discussions and I asked questions about this issue in the Parliament when Minister Obeid was the fishing Minister. At the time—and we are going back a few years now—he assured me that the Hexham issue was being resolved with the lowering of the floodgates and with re-inundation. Because this is a potentially important fish breeding area where is it up to? Does it reflect on your department and the fact that we are looking at ways of increasing our fish stock? Is that not an obvious example of how to go forward?

Mr O'CONNOR: Yes, it is. Let me make two comments. First, we are generically interested in trying to get those sorts of habitat improvements underway. Historically, we have done quite a bit of research where we have undertaken specific improvements in particular areas. We researched those fish populations immediately before and immediately after those specific improvements. So we have that research, which again effectively demonstrates the impact that those improvements can have on fish populations. Specifically, I cannot say whether there has been recent monitoring of Hexham. However, I can check that for you.

Mr IAN COHEN: Perhaps you could take that question on notice. I would be interested to know in percentages roughly what has been restored over the past decade, as this debate has been going on for at least that long.

Mr TOOVEY: Our coastal national parks and nature reserves also provide a lot of protection to our estuarine habitats. That is certainly the case in Kooragang as well.

Mr WRIGHT: There are some other programs that the Department of Environment, Climate Change and Water has been running with Industry and Investment NSW, including the re-inundation of the Yarrhapinni wetlands in South West Rocks. We can also provide additional information on that.

The Hon. LYNDA VOLTZ: Do you also consider the flow of water into these rivers? We received a submission from someone in the Hawkesbury about the flow of freshwater in the Hawkesbury River and its impact on breeding stock. Obviously it also affects inland rivers and the availability of fish stock?

Mr O'CONNOR: The answer, briefly, is yes. We have put a lot of effort into trying to manage and advise authorities on how to manage flows so that they have the best impact on fish stocks. Sometimes what we need for fish is counter to what we need for other species, such as birds. Sometimes it is counter to what is needed by irrigators. We try to influence those processes so that we get the best outcomes that we can.

Mr WRIGHT: The Government has expended \$100 million under its Water for the Environment program to purchase water to put back into our inland freshwater rivers. We are working with the Commonwealth to the benefit of fish and the environment generally.

The Hon. LYNDA VOLTZ: How many recreational fishing licences do females hold and how do males hold?

Mr VAN DER WALT: We do not have that information on our database. We do not distinguish between males and females; we just record the names and addresses.

The Hon. CHRISTINE ROBERTSON: You do not have a female and a male tick box?

Mr VAN DER WALT: No.

The Hon. LYNDA VOLTZ: However, when you conduct surveys relating to marine parks you receive different responses from males and females. When you break down statistics, for example, for the Jarvis Bay Marine Park study, and you are looking specifically at responses from recreational fishers—from people who fish as opposed to non-fishers—and your responses are then broken down into male, female, white collar and blue collar, how do you define the differences between the responses that you are receiving?

Mr TOOVEY: We have probably not looked into the demographics of that in as much detail as we could. It is pretty clear that people have different views depending on how directly a marine park or other regulations impact on them. That is something that I think comes through. Generally it is the case that fishers are more or less positive about marine parks than are some other stakeholders who might not get out and experience the park as much. I think that is true.

The Hon. LYNDA VOLTZ: Based on this survey, 50 per cent of recreational fishermen do not think there are any drawbacks in having a marine park, which is fairly high. Most recreational fishermen overwhelmingly support marine parks. Yet, significantly, only 20 per cent of the people who fish and 90 per cent of the people who do not fish believe that marine parks are only about an increase in fish stock. Most recreational fishermen and non-recreational fishermen believe that they are about preservation of the environment for the future and the protection of marine habitats. Is that correct?

Mr TOOVEY: Yes, that is correct.

The Hon. LYNDA VOLTZ: What is the breakdown in recreational fishing licences between metropolitan Sydney and other regions? Do you have a figure for metropolitan Sydney? If you do not have those figures you can take that question on notice.

Mr VAN DER WALT: We would have to provide that information on notice.

The Hon. LYNDA VOLTZ: Do you know the difference between coastal recreational fishing holders and those inland?

Mr TURNELL: Historically, we have done some work in that area. Because we have a number of people who fish in both saltwater and freshwater it is difficult to draw a definitive line. We think that the split of application of fishing effort is about 70 saltwater, 30 freshwater. We have not had any reason to suggest that that has changed.

The Hon. CHRISTINE ROBERTSON: How would you balance that information with the fact that many Sydney licence holders do not fish in the Sydney Basin?

Mr TURNELL: That is one of the other things about Sydney-based licence purchasers. This sort of information is interesting to know, but what it tells you about what happens could be two different things.

The Hon. LYNDA VOLTZ: Your surveys address people who fish and people who go boating. What is the difference between boating and fishing? Are the people who are boating not fishing at all?

Mr TOOVEY: It is from another survey—one that was done recently around boating in Australia. About 60 per cent of people who are out in boats go fishing. That includes other activities such as sailing. Leisure boating is another component of that. About 60 per cent of people who have a boat go fishing.

The Hon. LYNDA VOLTZ: When these surveys refer to boating are they referring to people who might also be fishing?

Mr TOOVEY: Yes, that is right.

Mr TURNELL: An awful lot of people who go fishing do not use boats.

The Hon. LYNDA VOLTZ: I understand that. When you receive responses from people relating, for example, to whether they think there are benefits in having a marine park, are you getting strong responses from boating and fishing people? Obviously the boating people are also possible fishers. The number of fishermen who are responding represents approximately one-third of respondents, but if you include boating that figure might be higher.

Mr TOOVEY: We will take that question on notice and check the surveys. Sometimes they can be very clear about the targeted groups and at other times they are less clear. We want to be sure of those statistics.

The Hon. CHRISTINE ROBERTSON: Page 4 of your submission states that size limits are based on biological information, but that other factors, including marketability, are important. How does marketability determine or influence size limit decisions?

Mr TURNELL: Let me give a short answer to your question. It is rarely the case that marketability influences size limits. It is known information but if there are scenarios where fish are reaching sexual maturity at a certain age or size—ordinarily we would allow their harvest at that size—if there is no market for them we look at a more appropriate size that might provide more production from that fish stock. At the moment I cannot think of an example, but I am happy to come back with one if I can speak to the sizes and identify them.

The Hon. CHRISTINE ROBERTSON: Yes, because I really do not understand that answer.

Mr IAN COHEN: You are not conceding there that marketability is a factor of determining bag limits? It is a bit unclear, I think.

The Hon. CHRISTINE ROBERTSON: But he has said he will come back to us.

Mr O'CONNOR: Historically it has been important for most commercial fishers but these days the reasons we set size limits are predominantly related to ensuring that a proportion of the breeding stock is able to breed. Whereas historically there used to be a focus on what was marketable and what was not.

The Hon. CHRISTINE ROBERTSON: An example would be useful to describe this issue.

Mr O'CONNOR: We will come back to you.

The Hon. CHRISTINE ROBERTSON: The submission on page 13 notes that with respect to recreational fishing compliance verbal and written cautions provide opportunity for officers to exercise discretion when unintentional offences are detected, and that penalty notices are designed to effectively deal with medium-impact offences. Can you give us some examples of both unintentional offences and medium-impact offences?

Mr O'CONNOR: In essence we always give our compliance officers the opportunity to make a personal assessment of what the circumstances are. On some occasions we find that recreational fishers may not have a licence but they may say they do not have their licence on them but they have it elsewhere. So we give them the opportunity to come back and provide that information. In those circumstances, if they subsequently provide the information we do not give them a penalty notice but we might give them a written caution, just to say they need to carry it in future. On some occasions we might find that a recreational fisher might have, for argument sake, one undersized fish. If the bag limit, for argument sake, was 20 and they had one undersized we might say to them, "This is an issue. You need to make sure you are careful about this." We might give them a verbal caution. They are examples of where we might give verbal or written cautions. On some occasions we will look at the issue and issue a penalty notice because it is something that people see as efficiently dealing with the issue. On other occasions where we find that the issue of non-compliance is systemic or major in kind then we might prosecute. So we have a gradient of prosecution responses that are available to us and we try to do it in a strategic way.

The Hon. CHRISTINE ROBERTSON: Is there any way of officers checking on a record if there is a serious of minor breaches?

Mr O'CONNOR: Yes, apart from verbal cautions we keep records clearly of all the written cautions; information about who has been issued a penalty notice or has been prosecuted—

The Hon. CHRISTINE ROBERTSON: Yes, but it is the verbal cautions I am talking about.

Mr O'CONNOR: Verbal cautions, no, but predominantly we try not to do verbal cautions. Normally we would do written cautions so it is on the record and once it is on the record we keep a very good database of that and we can readily access that, yes.

CHAIR: Will the representatives of the Department of Environment, Climate Change and Water respond to Ms Robertson's question in relation to your compliance officers and how it works in marine parks?

Mr TOOVEY: It has been referred to earlier that there is an agreement between the agencies in terms of fisheries and marine park enforcement. One of the important things to point out is that the marine parks legislation does not duplicate enforcement provisions; it actually adopts those provisions that apply under the Fisheries Management Act. So that means that we do have consistent arrangements in relation to enforcement in marine parks and outside marine parks for marine parks offences and for fisheries offences. So we share a database system. We also take the approach of using written cautions as opposed to penalty notices. That is evident in the data that we have based on the compliance activities undertaken in each of the parks.

CHAIR: Do you keep records the same as Fisheries of compliance activity?

Mr TOOVEY: Yes. We keep records on a joint system.

CHAIR: On a joint system?

Mr TOOVEY: Yes.

CHAIR: For compliance issues that are not Fisheries issues, for example, being in the wrong location or having a clip swivel on a piece of gear, which are not under the Fisheries Act—

Mr TOOVEY: If you are referring to transiting with gear through sanctuary zones?

CHAIR: That is right.

Mr TOOVEY: Those same arrangements apply and have been clarified. In fact, I think late last year there were some questions raised by the Advisory Council on Recreational Fishing and we moved to clarify what the arrangements were, and they were consistent with the approach that our colleagues in the industry use.

CHAIR: So the approach between the two organisations is consistent?

Mr TOOVEY: Yes, it is.

The Hon. CHRISTINE ROBERTSON: The submission from Australian National Sportfishing Association [ANSA] on page 21 recommends that temporary area closures should be implemented to protect all spawning aggregations of fish from all forms of fishing. Would it be feasible to implement such a proposal?

Mr O'CONNOR: Generically we do that on species where we think it is necessary. For argument sake, we have closures that relate to lobsters in order to protect spawning stocks. We also have closures that relate to prawns to protect spawning stocks. So the answer is broadly yes, but whether we apply it to individual species will depend on the circumstances of those species. For instance, some species aggregate into particular areas to spawn, in which case it becomes sensible and possible to do what you are suggesting. In other cases, the species will breed right throughout New South Wales so it is not sensible or possible to do what is suggested.

The Hon. CHRISTINE ROBERTSON: Excuse me for being obsessed about the Clarence, but the top of the Clarence has an issue in relation to this for bass and spawning? Is there no way that can be resolved?

Mr VAN DER WALT: There currently is a closed season for bass, which I believe is June, July, August.

The Hon. CHRISTINE ROBERTSON: But that particular question talks about spawning aggregations of fish in certain areas and the bass restriction may stop the fishing of bass at that time but may not stop the netting for other fishes in that area, which can inadvertently deplete the bass.

Mr VAN DER WALT: Most of the area that is closed for that bass season would preclude commercial netting to my understanding—I would have to check and come back. So if there is netting occurring in those areas it could well be that it is illegal anyway. There have been specific references made to the department about problems, or perceived problems, with the protection of bass in that area. We have certainly taken that into account and been speaking directly with compliance officers in the area and some local stakeholders to try to ensure it is not a problem.

The Hon. CHRISTINE ROBERTSON: A number of individual submissions from recreational fishers have made recommendations and suggestions for improving recreational fishing. Quite a number surprisingly suggested greater restrictions in terms of bag size and limits—exactly the opposite of the question I asked before—and the need to protect some species. Others have provided information on their observed status of fish stocks. The submission shows that anglers have useful local information. How could the department enable an avenue for local information to be provided directly to it? Is there any process you could possibly set up for that to occur?

Mr TURNELL: Through the bag and size limit review process we send questionnaires and information out to local and regional areas. If anyone or any groups have observations about fish stocks specific to their area, as opposed to generically, we certainly take that into account. We do that via the questionnaire process at the moment. Two of the committees established—the recreational trust expenditure committees—are regionally based in any event, so they have representation across the State. Whilst their primary function is to provide advice on expenditure from the Recreational Fishing Trusts, it is also a good forum to get people from different areas together, be it freshwater or saltwater.

The Hon. CHRISTINE ROBERTSON: Many local communities have competitions, such as The Catch of the Week or whatever, which involve a measuring process. Is that information able to be collected? These competitions involve people bringing their fish for measurement to compete in the best catch of the week competition. The results are published in newspapers.

Mr VAN DER WALT: We have a tournament monitoring program. Essentially, at the moment it is based mostly around our game fishing tournaments.

The Hon. CHRISTINE ROBERTSON: That is a different process, is it not?

Mr VAN DER WALT: Yes. These are game fishing events?

The Hon. CHRISTINE ROBERTSON: Yes.

Mr VAN DER WALT: The ones we currently monitor include game fishing events and our bass tournaments as well. We provide a process for that data to be recorded. It is collected as part of a scientific program. I guess one of the problems with using angler data is that to be used scientifically it needs to be collected in a robust and statistically oriented manner.

The Hon. CHRISTINE ROBERTSON: The methodology would be unsound?

Mr VAN DER WALT: Yes, methodology is really important.

The Hon. TONY CATANZARITI: Given the drought conditions and recent changes in some areas, is there any need for stocking those rivers? If so, is any program in place to do so or are you preparing such a program?

Mr TURNELL: The recent drought actually precluded us from stocking in a number of areas. We were not going to stock fish into areas in which, basically, there was not going to be any hope of them surviving. That is not what we are about. We actually wound back a fair bit of our stocking in the last year or two. Hopefully, with the recent rains we will be able to go into some more of those programs. However, the rains should provide good outcomes for the native and natural fish populations in those areas.

The Hon. TONY CATANZARITI: That is what I meant with the change and whether any programs were going to come into force?

CHAIR: For instance, at the moment Menindee Lakes is at over 70 per cent capacity and is likely to remain that way for a while because of the new Commonwealth water arrangement. Would Industry And Investment automatically look at fish stocking programs in those large compounds?

Mr TURNELL: We will be doing so, yes.

The Hon. RICK COLLESS: I refer to the issue of artificial reefs and fish aggregating devices et cetera. Recently, of course, there was much controversy over the proposed ship sinking off the Central Coast.

From an environmental perspective, what are your concerns about artificial reefs being put into the system? Do you have any concern about them specifically going into marine park areas?

Mr VAN DER WALT: We have two artificial reef programs. One is the estuarine program. That has been going on for a number of years. The offshore program has not commenced yet; the environmental assessment actually is on exhibition currently.

The Hon. RICK COLLESS: To where does that relate? Is that the ship off the Central Coast?

Mr VAN DER WALT: No. That proposal is for purpose-built steel structures in three locations off Sydney, Newcastle and Wollongong. The *HMAS Adelaide* project, to which you are referring, is being coordinated by the Department of Lands. That is primarily being deployed as a diving reef. So, it is for scuba divers, whereas the artificial reefs we are proposing are purpose-built to create fish habitat, which provides additional fishing locations for recreational fishers.

CHAIR: Recreational line fishers?

Mr VAN DER WALT: Yes.

CHAIR: Not for spearfishing?

Mr VAN DER WALT: There are some risks associated with spearfishers.

CHAIR: It is too deep?

Mr VAN DER WALT: Yes. The risks of spearfishing will need to be addressed in a national plan for any offshore reef.

Mr WRIGHT: The policy of the Marine Parks Authority is, in the first instance, to look to locations outside of the marine park for sighting artificial reefs. But the authority accepts the validity of artificial reefs in some circumstances and has a policy of allowing that to happen, subject to appropriate environmental assessment, in the general use zone parts of a marine park—not within a sanctuary zone or habitat protection zone.

The Hon. RICK COLLESS: From an environmental perspective, did your department have to give approval for the sinking of the *HMAS Adelaide*?

Mr TOOVEY: We will take that question on notice. Certainly, it would involve other people in the department.

Mr WRIGHT: My understanding is that we were involved in some elements of the environmental assessment, but we will take that question on notice.

The Hon. RICK COLLESS: I return to this compliance issue. Can you explain to the Committee what the penalty is for fishing in no-take zones?

Mr TOOVEY: If you are referring to the infringement notice amount, the penalty is \$500 for fishing in a sanctuary zone.

The Hon. RICK COLLESS: Is that per boat?

Mr TOOVEY: That is per the offence. Offences are individually based. That is \$500 for the person committing the offence.

The Hon. RICK COLLESS: Would you explain what you mean by that? If there are four people on the boat and two are fishing—

The Hon. CHRISTINE ROBERTSON: Two thousand bucks.

The Hon. RICK COLLESS: I am sorry, you have had your turn Christine, thank you. If there are four people on the boat and two are fishing when you pull up beside them, how many fines are issued?

Mr TOOVEY: Can I take that question on notice just so I can provide a very clear response? I will say again that the arrangements we have in marine parks are consistent. So, we would take a consistent approach to our colleagues in Industry and Investment. If they came across a boat with a number of people on board who, for example, did not have a fishing licence or were committing a number of offences—

The Hon. RICK COLLESS: Let us assume they all have fishing licences. The people I go fishing with all have fishing licences. My question refers to the issue I raised earlier about knowing where you are on the water, particularly for visiting fishermen. For example, the locals who fish regularly out of Port Stephens would know where their landmarks are—hopefully. I do not fish at Port Stephens: I have never been offshore at Port Stephens. If I were to go offshore at Port Stephens it would be very difficult for me to ascertain those landmarks unless they are clearly visible. If my boat was to inadvertently drift into the no-take zone and your compliance officers pulled up beside me, what is the next step?

Mr TOOVEY: Perhaps if I could refer to an example where I was on board the boat. I am not a compliance officer, but a couple of months ago I had an opportunity to get out with staff on the water. It was a very similar circumstance to the one you mention. We were in Batemans Marine Park. A vessel was drifting. It was just inside a zone. In that circumstance the officers talked to the two people on the boat. Those people had guides and other material, and they explained that they had a GPS but did not quite know how to use it. Basically, the officers gave them an indication on the water where they needed to be, and that was that. Those people did not get an infringement notice. They were given a warning. In fact, they were even invited back to the office, which is also a maritime office, for staff to give them a lesson on using the GPS. That is the example of the kind of circumstances.

The Hon. RICK COLLESS: You are giving us a very cosy example I have to say, because I have heard stories to the contrary.

Mr WRIGHT: The Marine Parks Authority, through my department and the Department of Industry and Investment, recently agreed on a consistent, codified approach to dealing with this particular enforcement and compliance issue in sanctuary zones and other issues within marine parks. If that document is not in those documents tabled today we can bring it to the Committee's attention. In summary, it puts in place a regime that allows officers to exercise discretion in terms of whether a penalty infringement notice is issued based on whether it is likely that those fishing in a sanctuary zone were doing it deliberately as opposed to inadvertently.

The Hon. RICK COLLESS: My next question relates to the difference in the relationship between intentional offences and unintentional offences. There is a big difference. I consider myself to obey all the fishing laws and regulations that I possibly can when I am out to sea. Take the case where we are fishing in a zone where we are allowed to take fish and then drift into a no take zone. When we go into a no take zone we are not allowed to have our fishing gear and boat rigged. Is it correct that our fishing gear must be unrigged?

Mr TOOVEY: I will have to check that. That has been clarified. That was subject to the letter of clarification that we provided to the advisory council on recreational fishing. That very circumstance is covered. I will need to check that. My understanding is if you are anchored in a sanctuary zone your gear needs to be unrigged. That means not even a swivel on the line. It is different if you are transiting through the zone. My recollection is that at that time out of about 22 people that had been detected with gear that was not in the state that it needed to be there were something like three of those people had been given a penalty notice and those were in circumstances where there was some concern about fishing activity that was not immediately detected.

Mr WRIGHT: In terms of that inadvertent fishing issue and picking up on your point earlier about working with software providers to put the zone boundaries on a GPS layout, as part of the zone plan review process we are going through now for Solitary Islands and Jervis Bay we have heard the message from a lot of stakeholders about enforceability and compliance and it being difficult sometimes to know where you are in relation to a sanctuary zone. One of the things the Government is proposing is part of the zone plan review process for Jervis Bay and Solitary Islands—and certainly we will be continuing this for other marine parks in the future—is to look at straightening up zoning boundaries so that they are easier to identify in the water and, where possible, aligning them with land markers or placing buoys to deal with some of these issues.

The Hon. RICK COLLESS: When you are out to sea surely the placing of buoys would not be a practical application if you are a long way offshore.

Mr TOOVEY: It is not in every circumstance; that is clearly the case.

The Hon. RICK COLLESS: I want to go back to the issue of the number of people in the boat and who gets fined if there is an offence. Is there an age limit on the fine? Do people have to be over the age of 18 to be fined if they are caught fishing in a no take zone?

Mr WRIGHT: Could I take that on notice?

The Hon. RICK COLLESS: Maybe the Fisheries people can answer that?

Mr O'CONNOR: We do not tend to prosecute a lot of people under that age. There is a different set of rules that apply whether you need a licence or not. Generically we try not to prosecute young people.

The Hon. RICK COLLESS: It is more an issue about how many people on the boat will incur a fine if there is an offence and whether there is an age limit on that particular aspect. If I take a group of people out fishing and I inadvertently or deliberately take them into a no take zone, they would not know where they were. As the skipper of the boat I should know where I am. Does it not make a lot more sense simply to fine the skipper of the boat?

Mr WRIGHT: Indeed. Those enforcement guidelines I mentioned earlier deal with this very issue. So there is discretion to issue the penalty infringement notice to the skipper of the vessel where it can be shown that the skipper knew he should not have been there but his passengers did not.

CHAIR: In relation to that particular document, if it is not in the documentation that was tabled today you will provide it?

Mr WRIGHT: That is correct.

CHAIR: And the memorandum of understanding?

Mr WRIGHT: Yes, we can also provide that.

The Hon. RICK COLLESS: Are these lines between the no take zones and the general access zones, or whatever they are called, pencil thin lines on a map or is there a buffer zone on each side? Is there any leeway? I refer again to this issue of drift fishing. Most of the time I rarely anchor out to sea, I generally drift. If I inadvertently drift towards a no take zone, if it were marked on a GPS I would know where I was. It comes back to this issue of being able to identify your location. These straight line boundaries and so on make it much more difficult because you have to constantly monitor your GPS coordinates against the GPS coordinates of the zone. It is very difficult. If you have ever been out to sea and try to monitor where you are by looking at your GPS coordinates, it is extremely difficult to do.

Mr TOOVEY: Some people would mark out zones where they would commonly fish on their GPS. So those waypoints are there.

Mr WRIGHT: Again, the enforcement guidelines provide for officers of both Industry and Investment and the Marine Parks to exercise discretion in terms of a hard and fast line in the water.

The Hon. RICK COLLESS: What is the situation with these regulations in relation to other States? Are they consistent across the States or is there a great deal of difference between what happens in New South Wales, Queensland and Victoria, for example?

Mr WRIGHT: Are you talking about the penalty regime?

The Hon. RICK COLLESS: All aspects, including monitoring. In New South Wales we have a lot of visiting fishermen and a lot of New South Wales fishermen go north to Queensland once or twice a year. How consistent are the regulations between the States, both from a fishing perspective and the marine parks perspective?

Mr TOOVEY: From a marine parks perspective all jurisdictions have areas where there is no fishing. They all have no take sanctuary zones. In terms of the differences in the other zones across various marine parks, there would be some minor differences across the jurisdictions. But the other point to make, and I will refer to Industry and Investment, is that underlying all marine parks is the basis of Fisheries regulations for the entire State. Those rules still apply about the gear you can use and bag and size limits, et cetera. They are all still in place in marine parks.

The Hon. RICK COLLESS: Perhaps Mr O'Connor might like to comment on the consistency between the size and bag limits, particularly between New South Wales and Queensland?

Mr O'CONNOR: The answer is we do not have total consistency. But we do regularly meet with our Victorian cousins and Queensland colleagues and discuss those sorts of issues. Certainly we also are involved in a national hookup of compliance officers where we generically discuss the approach and try to learn from one another's experiences. While there is not exact consistency, quite often the reasons for having the differences in different States are well marked. For instance, we had a workshop on Murray Cod just recently and we had all the relevant States involved. The reasons for having one set of rules in South Australia and a different set of rules in Queensland and in northern New South Wales are quite marked and well justified. It is a question of whether it makes sense to have different rules. If it does biologically, how do we explain it to people?

The Hon. RICK COLLESS: In offshore waters where does New South Wales become Queensland offshore? Is it a point due east of the boundary?

Mr O'CONNOR: Yes.

Mr IAN COHEN: In a current consultation draft of the Coastal Protection and Other Legislation Amendment Bill, there are exemptions that remove ministerial oversight of the Fisheries Management Act for certain works of protection, such as on the coast. This may impact on aquatic species and their habitat. How important is the Minister's oversight of the works in the coastal zone for the protection of fish stocks and aquatic habitat? Has either department been able to assess that, given that potentially it could be works that are happening in many sections of the coastline in the not-too-distant future?

Mr WRIGHT: In terms of the Coastal Protection Act, there certainly has been discussion within government and across agencies about the operation of those amendments. I cannot detail an Industry and Investment view at this moment, but perhaps my colleagues can.

Mr TURNELL: I will have to take that on notice.

Mr IAN COHEN: Thank you. Does the Department of the Environment, Climate Change and Water [DECCW] have access to data collected by the New South Wales Game Fish Tagging program?

Mr TOOVEY: We would have access to it if we ask for it, but because the Marine Parks Authority is a tripartite body that includes Industry and Investment, they would bring to the authority that kind of information.

Mr IAN COHEN: Does data that is collected under that program play any role in designing aquatic reserves?

Mr TOOVEY: If you are referring to the Game Fish Tagging program, typically there are some locations along the coast, including our marine parks that are important for land-based game fishing. But as I understand it, that program is more or less focused on the offshore game fishing that occurs in New South Wales. So far, in terms of our aquatic reserves which are more focused on the immediate coastal area, that has not been considered, but it certainly could be, if it were irrelevant.

Mr O'CONNOR: Generically, we use whatever data we have available about the nature of our fisheries and what areas are important in the design process.

Mr IAN COHEN: Is the data from the New South Wales Game Fish Taking program publicly available, or can it be made publicly available?

Mr VAN DER WALT: It is not publicly available, but we do provide regular reports on key recapture information. We put out newsletters. We also receive numerous requests from mostly other government organisations and universities to use that data in various research studies and planning processes. The requests are very wide and varied, and they are assessed on a case-by-case basis, but generally the information is there.

Mr IAN COHEN: It is available through your department, if specifically requested, but not actually publicly available or on a website or anything like that?

Mr VAN DER WALT: No. It is a very comprehensive database. Basically we look after the database, but essentially we respond to queries for people and organisations, as requested. In most cases the data is provided when requested.

Mr IAN COHEN: Why would it not be provided—in what circumstances?

Mr VAN DER WALT: Potentially, if the data is going to be used for a commercial venture, there may be some negotiation about payment for use of that data.

Mr IAN COHEN: In situations in which we have increased algal abundance and excessive nutrient loading, which could cause poor estuarine or inland river health and which in turn impacts upon the fish population and habitat, what strategies has DECCW and catchment management authorities deployed to improve river health? Would the most effective strategy for protecting fish stocks and poor river health be to create riparian zone buffers to prevent agricultural run-off from entering the river systems, or are there other strategies that you have available?

Mr WRIGHT: Probably the most significant strategy that the Government has put in place, or that governments have put in place over the years, it is the establishment of terrestrial protected areas. I think we have something like 40 per cent of the coast now in national parks and nature reserves. Those protected areas provide significant catchment protection benefits.

Mr TOOVEY: The other important strategy to which you refer is the State's diffuse source water pollution strategy, which has been in place now for approximately 18 months. That has been developed across agencies with input from Industry and Investment as well.

Mr WRIGHT: In terms of establishment of protected areas—we have been working closely with the Great Lakes Council on a land acquisition program to acquire assets of affected lands for addition to a suite of nature reserves in that part of the coast. That involves a fair bit of lock-up, hopefully, of those acid sulphate soils to prevent them from impacting on new biomarine waters.

Mr IAN COHEN: Does this involve locking up or taking over those lands to re-inundate them? Is that the process?

Mr WRIGHT: There is some removal of channelisation occurring on some of those properties. That is correct.

Mr IAN COHEN: It is interesting for me that you raise that one on the North Coast. In a former fishing inquiry there was huge issue, and we were taken to the Richmond River to see acid sulphate soil run-off and red spot disease. Is that something that is still a frequent occurrence, or has there been some inroad into that sort of disease? I understood 10 years ago that that was quite prevalent on the North Coast and had an impact on both commercial and recreational fishing. Obviously that would seem to be an environmentally induced condition.

Mr O'CONNOR: Acid sulphate soil continues to pose a problem in terms of management and what is the best possible long-term management practice to avoid some of downstream impacts. That continues to be the case. In recent years in the Richmond, there have been major flooding events. On each of those occasions, acid sulphate soil certainly has posed problems. We have had oxygen levels in the Richmond River getting down to virtually zero, with the result that they had mass fish kills. Acid sulphate soil problems there have certainly continued to result in red spot disease; there is no doubt about that. But we are strategically working with landholders and strategically making really good progress, albeit not as fast as we would like, in terms of improving the way that land is managed so that these impacts become less over time.

Mr IAN COHEN: In that part of the world, which has a climate characterised by sudden wet seasons often hitting with a vengeance, something that is of real concern to commercial and recreational fishers as well as environmentalists is the level of fish kills. In terms of marine parks, has there been any change or noticeable difference in the intensity of those events, or is this something that still seems to be part of a natural progress?

Mr O'CONNOR: I do not think we have enough data to be able to tell you whether there has been an increased frequency in recent times.

Mr IAN COHEN: I am thinking more of the intensity of the fish kills. We get them when there is a flush of rain after a very dry time.

Mr O'CONNOR: I guess the rainfall events themselves are a bit unusual, with the result that the floods are a bit unusual, with the result that the acid sulphate soil impacts and the fish kills have been unusual. But whether there is a long-term trend, I cannot say.

Mr IAN COHEN: To what degree are environmental protection licences of operations near inland rivers, coastal zones or estuaries integrated and harmonised with threat abatement plans for fish species and general population management mechanisms under the Fisheries Management Act?

Mr WRIGHT: Could we take that on notice please?

Mr IAN COHEN: Sure.

The Hon. LYNDA VOLTZ: You may have answered this already. How many registered recreational fishing licences are there in New South Wales?

Mr VAN DER WALT: There are around half a million.

The Hon. LYNDA VOLTZ: Five hundred thousand, roughly?

Mr VAN DER WALT: Yes. The average is around 495,000 per year. It fluctuates from year to year.

CHAIR: Mr Wright, in relation to an answer you gave earlier regarding the potential for artificial reefs in marine parks you made mention of the fact that current policy was that it would not occur in sanctuary zones or habitat protection zones. Given that habitat protection zones allow recreational fishing but not commercial fishing—

Mr WRIGHT: They do allow some forms of commercial fishing.

CHAIR: So I guess the question of artificial reefs would have to be looked at in that regard. What would be your view on the concept of additional artificial reefs in habitat protection zones taking the pressure off, if you like, the resentment of having sanctuary zones? In other words, some have argued that recreational fishing havens cover x amount of hectares but habitat protection zones, which allow recreational fishing, cover 10 times that amount of water.

Mr WRIGHT: The purpose of habitat protection zones, as the term suggests, is to protect the habitat and the view of the authority is that placing an artificial reef in a habitat protection zone is not protecting the habitat. I take your point about fishing effort and moving fishing effort elsewhere, which is why the authority has a policy of permitting artificial reefs, in general use terms, within marine parks.

CHAIR: That is a very interesting policy.

Mr TOOVEY: If I could just add, that policy is up on the Marine Parks Authority website. We can just clarify that: It is a policy but the authority would need to consider any request for artificial reefs.

CHAIR: I am just curious as to the logic behind that sort of decision. That sort of implies that where you put in an artificial reef to provide perhaps enhanced fishing effort that that does not also provide habitat rehabilitation, for want of a better word, or habitat improvement. Clearly it does.

Mr WRIGHT: Clearly the preference of the Marine Parks Authority is to have any artificial reefs within marine parks in the first instance located within the marine park within the general use zone.

CHAIR: Are there any currently?

Mr WRIGHT: No, there are not.

The Hon. CHARLIE LYNN: Just a query. In one of the submissions we received they state that the opening statement in a report "Sustaining our Fisheries", a fisheries policy discussion paper in January 2000, says, "It is widely recognised that our seas can be fished out and lakes, rivers and estuaries that were once filled with fish of every kind can be emptied." Is that a true statement or is it an exaggeration?

Mr O'CONNOR: I do not recollect that particular document but, in essence, I think there was a view many years ago, and I guess pre-sixties or in the sixties, that our fish stocks were quite vast. I guess over time as we have done more research we have come to understand that those fish stocks are actually quite limited and that they can be fished down so that we can have problems for our fish stocks if we are not responsive in the way we undertake our management. So while I would not say that we can wipe them out readily, we certainly think we can fish them down to points where they need active management to recover. So, that I would agree with.

The Hon. CHARLIE LYNN: I think the thrust of the question that they were getting at was that within the commercial and the recreational sector that one is subject to fairly rigorous EIS examination and the other sector is not and that led them to a question I asked before about the need for a single peak body for them to work together and it would be of great benefit to the industry.

Mr O'CONNOR: In terms of environmental impact I think the environmental impact that commercial fishers could have is potentially much greater than that of recreational fishers. That is, as I mentioned, because of the gear types that they are allowed to use. But I would remind you too that I also said that each year we review what the current status of a species is, and that is species that are caught recreationally or commercially or both, with a view to understanding whether or not that stock has issues that we need to address from a management perspective.

The Hon. CHARLIE LYNN: One of the other inferences they make here is quite interesting. He says that recreational fishing is not just a bloke standing there with a rod and a line and a bit of catgut now, it is fairly sophisticated and professional using the latest technology from plastic baits to pitch-perfect depth sound, to GPS systems and the Internet to find the coordinates of the best fishing spots, and the list goes on and on. He says that, essentially, skill, judgement and experience have gone out of it to a large extent. I think what he is leading to is to say that a lot of the recreational fishing now is done on almost a very professional basis.

Mr O'CONNOR: I think what he is saying is that there is a lot of expertise that is available to improve the likelihood of anglers taking a fish, but as Pete said earlier, it is still 10 per cent of anglers who take 90 per cent of fish. So there really is an issue of skill.

Mr WRIGHT: A point of clarification around the Marine Parks Authority policy on artificial reefs: I have just been advised that the policy does allow for the location of artificial reefs within habitat protection zones, subject to it not having a significant impact on adjoining sanctuary zones. My apologies for that.

CHAIR: Thank you for the correction. I will allow one more question.

Mr IAN COHEN: Beach access in marine parks and the usage by recreational fishers of four-wheel drives upon the beaches and the impact on the benefit community, which is all part of the food chain and there is quite a bit of debate about vehicle usage in those areas impacting on the food chain, although it is obviously not noticeable but in the sand and also for specific species. Has there been research on that with regard to marine parks and is this having or will it have an impact in terms of recreational beach fishing that uses motor vehicles?

Mr TOOVEY: To my knowledge there has been some recent research reported on. I think the National Marine Site Centre at Coffs Harbour, a student that was based there did some work in Solitary Islands Marine Park. In terms of marine parks we tend to adopt the neighbouring land manager's access arrangements so that you do not provide access to the beach on the marine park if you cannot actually get access through the

adjoining land, whether that is national park or whatever other land it is. So, yes, there has been research done more recently on invertebrate impacts there. Perhaps we could get a copy of that report.

Mr IAN COHEN: Perhaps you could take that on notice and inform us of any scientific information on that?

CHAIR: I will conclude this session. Thank you for your evidence today, it has been interesting and without obfuscation. 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 you today?

Mr TURNELL: Yes.

Mr WRIGHT: Yes.

CHAIR: In relation to those, we would require a reply within 21 days of the date on which those questions are received, and, for the committee's edification, those questions must be sent to the secretariat within 48 hours. Thank you very much your evidence and for coming in today.

(The witnesses withdrew)

LEONARD JAMES HENRY OLYOTT, Chief Executive Officer, Australian Recreational and Sport Fishing Industry Confederation Incorporated, , , sworn and examined:

CHAIR: If you should consider at any stage that certain evidence you wish to give or documents that 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 if the response to those questions could be sent to the Committee secretariat within 21 days of the date on which the questions were forwarded to you. Before the Committee commences with questions, would you like to make an opening statement?

Mr OLYOTT: Yes, I would. I appear before this Committee as the CEO of Recfish Australia, the peak national body for recreational fishers for 27 years. However, due to a lack of support from the Australian Government, my paid position with the organisation ends at the end of this month. This is indeed a very disturbing situation for recreational fishers. Recfish has enjoyed a very good relationship with New South Wales and has previously been provided with a three-year funding agreement from the New South Wales trust. This allowed Recfish Australia to focus on issues of importance to New South Wales fishers that local peak bodies and advisory groups were unwilling or unable to attend to. A case in point would be the Administrative Appeals Tribunal around grey nurse sharks in 2007, where Recfish Australia was able to take the lead in that legal case, which resulted in positive outcomes for New South Wales fishers.

Most recently we have been involved quite heavily in discussions with the Federal Minister for the environment and his department about the listing of mako sharks, which would have impacted quite negatively on some New South Wales fishers. With no support, Recfish Australia will revert to a largely volunteer organisation and I guess this highlights the need to support our community both at a State level and at a national level. Recreational fishers make up about a quarter of the population, and so far the support we have received from government generally has been dismal. We would also like to point out some of the big positives that have emerged out of New South Wales. One of these is the ongoing commitment to improved angler access and the other is a very good program focused on habitat restoration. Perhaps it is the shining example out of the whole of Australia about what can be done when money is put into habitat restoration.

Finally, with a comment on marine protected areas, it is astounding that what should be a positive issue has been derailed through political and other agendas. On the one hand recreational fishers should not assume that the entire ocean is their playground. On the other side of the coin, some conservation groups cannot keep on their campaign to make the entire ocean safe. Somewhere there is an end line. It is fundamental that marine protection areas are considered in conservation of our aquatic environments and marine environment.

The Hon. TONY CATANZARITI: Your submission states that recreational fishers in New South Wales have generally fared better than some other Australian jurisdictions due to the New South Wales legislative and policy framework that recognises the value of recreational fishing and the ongoing development of recreational fishing opportunities. Given your national perspective, are there management or policy approaches or activities in other States or Territories that New South Wales should consider adopting?

Mr OLYOTT: That is quite a difficult question to answer because it is very difficult to fault New South Wales Fisheries on their approaches to date. They are a leading example. Perhaps one of the areas where they could take a lead from some of the other States—notably, Tasmania, South Australia and the Northern Territory—is in terms of data collection and collecting information about recreational fishing. To date New South Wales has not repeated the national survey methodology to obtain a statewide estimate of the numbers of fishers out there and their economic contribution. I think that is probably an area where New South Wales needs to agree that for the greater good a national figure on a total fishing population is of great value. That is probably one area that they could take notice of.

The Hon. LYNDIA VOLTZ: Can I just ask for clarification on that point? When you are talking about the total fisher numbers, how does that differ from the number of people who are licensed recreational fishers?

Mr OLYOTT: A very good question. Under the licensing regime, there are several exemptions and categories when people do not require a licence. For example, I think it may be under 18 do not need a licence. Over 65 or over a certain group do not require a licence. The actual number of recreational fishers in New South Wales is probably around the million mark or more but not all of those are required to have a licence.

The Hon. CHRISTINE ROBERTSON: In your submission on page three you advocate the creation of a strong peak body that is able to effectively engage the disparate recreational fishing interest groups and provide a wide-ranging view of the recreational fishing community. You also note there would be challenges to forming a single peak body in New South Wales. I find it an interesting concept because we have multitudinous submissions from multitudinous organisations that I cannot imagine would actually be accepting one single peak body. I would like you to let us know what the challenges would be, and could you advise if other Australian jurisdictions have been able to establish an effective single peak body?

Mr OLYOTT: What you hint at in terms of the challenges is firstly given the size of the recreational fishing population in New South Wales, it is the highest population of recreational fishers. One expects a great degree of diversity in that population. Recreational fishing is not just going and throwing a line and catching a fish. We have spear fishers, we have beach fishers, we have netters, we have a great variety which can probably more appropriately be termed special interest groups rather than a peak body, and I guess that is what differentiates a peak body from these special interest groups. So those are some of the challenges where those groups will possibly feel alienated, misaligned, if their interest is quite small they may not feel that they have adequate presence at a peak body. Those are significant challenges to try to address. Likewise, if those groups do not agree with the decision that that peak body takes, there is a mentality in recreational fishing to pack up your ball and bat and go away. A responsible peak body makes decisions that are responsible but may not necessarily please everybody.

The Hon. CHRISTINE ROBERTSON: Sounds like government.

Mr OLYOTT: It is very much like government. If we are looking for examples around the country that work, there is no silver bullet. It is an absolute miracle that Recfish Australia came into existence 27 years ago. All the different factions came together at the initial meeting and many were antagonistic towards each other. What binds us together is getting back to basics: We like to go fishing; we share that in common. It is about staying on key with those specific messages and not presenting just one outcome. The role of the peak body is to represent the range of the opinions out there and to assist both the community and government. It can be done, but it is a challenge. Let us face it, our future depends on pulling together.

CHAIR: How does VRFish work in Victoria? Is it a government advisory body?

Mr OLYOTT: That is a very interesting situation. VRFish was recognised in legislation as the peak body in Victoria for recreational fishers. That status has changed somewhat through a consultative process. It is still a peak body, but it is no longer recognised as the only source of advice. It comprises club members and unaffiliated members. Its security of funding is not guaranteed in Victoria, but it certainly represents a wide range of views from Victorian fishers.

The Hon. LYNDA VOLTZ: Yours is a national organisation and it has been funded by the Federal Government. Has New South Wales also provided some subsidies?

Mr OLYOTT: Yes, that is correct. Our funding source has always been through whatever grants are available at the time. The last proposal we took to government was a three-year funding model to which the Australian Government committed. We also demonstrated a model of pro rata contributions from the States based on the population of recreational fishers. New South Wales contributed, the Northern Territory contributed for one year and Tasmania contributed for one or two years. New South Wales kept that contribution going. To date none of the other States have added to that contribution. Likewise, the Australian Government has refused to add to its contribution.

The Hon. LYNDA VOLTZ: Is it correct that your organisation is funded through the New South Wales Recreational Fishing Trust?

Mr OLYOTT: Yes.

The Hon. LYNDA VOLTZ: Perhaps there was an issue given that a national body was being funded through a State fund. If yours had been a New South Wales peak body the New South Wales Recreational Fishing Trust might have looked at it in that context rather than as a national body. Is that part of the problem?

Mr OLYOTT: I am not sure. We have made another two applications to the trust fund. The response was that it needed to see a business plan and continuity with Recfish Australia. We have performed a different

role from a State body. Ours is a national role and we have focused on Commonwealth fisheries—that is, fisheries in Commonwealth waters, including the tuna and billfish fisheries. We have worked very closely with our State members, which to date has been the advisory council, on New South Wales issues if they were raised. In fact, the council raised the grey nurse shark case. In that case the council could not go into a legal case. It is a construct of the Government and it would be very difficult for it to pursue a legal case. That is where Recfish Australia stepped in.

We work very closely and many of our programs require cooperation with State members. We have a national code of practice for angler education that is being adopted by the different states. We also work closely with regard to investment in future leaders. I do not think what we are doing at the national level does not have significance for New South Wales fishers.

The Hon. LYNDIA VOLTZ: That is not what I was saying. Perhaps the problem with the fishing trust is that New South Wales is the only State funding what is a national organisation as opposed to the other way around.

Mr OLYOTT: I agree. However, at the same time, if it is a good thing to do, that is not a reason not to do it.

The Hon. LYNDIA VOLTZ: I do not disagree. We have today seen the Jervis Bay Marine Park community survey final report. Have you seen that?

Mr OLYOTT: No. I believe it has taken some time to produce.

The Hon. LYNDIA VOLTZ: Reference is made to support for sanctuary zones and marine park authority zones. I refer in particular to the Jervis Bay park. Strong support was noted from recreational fishers who were surveyed in regard to the zones. It was much higher than those who disagreed, but it was still a small proportion. Would you say that there is support among recreational fishers and that they understand the marine parks?

Mr OLYOTT: Absolutely. There is strong support for them. Recreational fishers see themselves as conservationists and they are committed to these things. We did a recent online survey and it again demonstrated overwhelming support for marine protected areas and an appreciation that they have their part to play. Importantly, we are talking about multiuse marine protected areas, not about locking them out and throwing away the key. The issue is not so much marine protected areas but the process whereby recreational fishers, as a separate user group—as a community—are not engaged early in the process and the lack of commitment to co-management. We would like to see a co-management approach that asks what we all want out of a marine protected area. We need these principles, but what is required for people to continue fishing? To date that has not happened successfully anywhere in the country. A suite of tools for marine protected area planning is available from around the world, but we persist with using a blunt instrument of no fishing zones. It is time to review that.

The Hon. LYNDIA VOLTZ: Can you provide a copy of your online survey?

Mr OLYOTT: We should be able to provide it. It is part of a report we are preparing for the Department of Environment, Heritage and the Arts on fishing in Commonwealth waters.

CHAIR: Please take that on notice.

Mr IAN COHEN: Your submission refers to the loss of coastal infrastructure, including fishing platforms and boat ramps, during extreme weather events attributable to climate change. In situations where beaches experience serious erosion how important is it to recreational fishers to maintain public access to New South Wales beaches?

Mr OLYOTT: It is absolutely vital. There is a strong culture of beach fishing that goes back many years. It is the basis for a lot us learning how to fish. Ongoing access is there and beach protection designed to deal with climate change should not be a reason to bar that access. I do not think enough has been done to consider potential impacts on coastal infrastructure. That work needs to be undertaken.

Mr IAN COHEN: It is one thing to get fishers on to the beach but there has been controversy about four-wheel drive access to beaches. You might have heard my questions to the previous witness about that impact. Does your organisation have a position on four-wheel drive use of beaches and the impact on or benefit to the community and, therefore, the resulting impact on the food chain right out to sea for the fishing community?

Mr OLYOTT: We do not have an official position on that.

Mr IAN COHEN: Do you recognise the issue?

Mr OLYOTT: We recognise that it is an issue and that it is growing. The Queensland Department of Environment and Resource Management is about to release a report recommending some guidelines for four-wheel drive use on Fraser Island and Cooloola Strait. We believe it is a responsible position to ensure that guidelines are provided for those who use four-wheel drive vehicles on the beach. There are always people who spoil it for others. At the same time, some natural stretches should probably be set aside so that we can compare an impacted beach with one that is not impacted.

Mr IAN COHEN: They have that, but do you think it is reasonable to continue to allow four-wheel driving on beaches given the obvious impact? It is a catch-22. Your members want to go fishing and four-wheel driving is often the accepted method. Would you not agree that that has a major impact on fish stock and the balance on the beach through to the waterways for many species, including recreational fishing species?

Mr OLYOTT: We would have to spend some time developing our policy. We develop policy by consulting all our members to get their position and looking at all of the evidence to come up with a responsible position.

Mr IAN COHEN: You say that, to get your members' position, but most of these recreational users do not have the science. I know you have considered climate change impacts and access but is it not time for your organisation to really grapple with the science and get expertise on many of these issues rather than go down the popular route necessarily? Would you not agree that it is quite a critical time for these issues?

Mr OLYOTT: Absolutely.

Mr IAN COHEN: Would science be the way to go?

Mr OLYOTT: Definitely. Given more resources for our organisation, it is definitely something we would tackle but we do prioritise what we do. The other thing is we have a very good relationship with the Fisheries Research and Development Corporation [FRDC] and something like that is possibly a prime candidate for looking for FRDC funding. I think it is something on which we need to develop a policy along with the use of pesticides and a range of other impacts but, you are right, responsible recreational fishing requires it and I think we do have in our code of practice a fair bit of information there about not destroying habits, sticking to established tracks. So we have gone to some extent to it but you are right there, there could be more done to educate fishers about that.

Mr IAN COHEN: In relation to the establishment of marine parks, you said you felt there was somewhat too much of a blunt instrument used in the New South Wales or Australian context. I cannot find the figures but other witnesses have acknowledged that we are actually behind certain international commitments and world trend in terms of maintaining sanctuary zones. Do you think that they are overdone at this point of time, if I heard your evidence given earlier correctly?

Mr OLYOTT: I do not think so. In all honesty I think there is still a need for more sanctuary areas but it is more the process. Where you can get recreational fishing involved very early in the process, and we are able to identify in good faith and of trust "these are the areas where we regularly fish that are important to us" and we have faith that the process will try, as far as possible to avoid those areas, we will be much more satisfied with the outcome.

Mr IAN COHEN: Do you think a significant amount of the problem is not actually the lock-up zone, it is the way the Government and authorities get to a point? I suggest that with more negotiation and more convincing of the user of the benefit of protecting certain areas in sanctuary zones so that there is a spill over that can benefit recreational fishers in surrounding areas, it is a logical way to go?

Mr OLYOTT: I think there is still some confusion about some of the science behind it. It is not black and white, cut and dried. In terms of the spill-over effect just as recently as two months ago there was an article in the *MPA News* which asked the question, "Is it an accepted fact that the spill-over effect works?" Many prominent scientists put forward their views, including a CSIRO scientist, who said, "No, it depends on the species. It depends on the conditions. We can't take these things as gospel". So it is an inclusive process. It is not just a question of saying to people, "Yes, there will be sanctuary zones whether you like it or not." It is saying, "Yes, we have a need for sanctuary zones. Where is the best place to put those so that they will not impact on your activities?"

Mr IAN COHEN: You say it depends on the species. You can have certain species that are extremely territorial but then you have a lot of pelagic species, for want of a better definition in the circumstances, where there is considerable movement and that spill-over could be, would you not agree, quite a relevant factor in terms of quality of the fishing in an entire region?

Mr OLYOTT: It depends on those species. All we are talking about is a bit more flexibility in terms of what is used. For example, in the sanctuary zones in the Florida marine park they are allowed to troll fishing so the boat can be moving through that area with a line, lure or a bait. They can catch that fish but they have to release it. That is accepted as a management strategy.

Mr IAN COHEN: Would that work in the New South Wales context? Maybe there is a temptation for people to troll through a sanctuary zone, and then actually catch and not release under those circumstances, after all once out of the sanctuary zone there no way to prove it was taken in the sanctuary zone. Would that not make it far more difficult for authorities that are oversighting and policing the situation? We have already heard of the significant difficulties just by the management of such a large area and the limited number of officers involved. Would that open the way for more rorting of the system and actually breaking the law and getting away with it? Do we have to have strict rules?

Mr OLYOTT: It is a challenge. I guess you are talking about two sides of the spectrum—the authoritarian law making approach or the other approach where you work with the community through an education approach. We have not seen a lot of the latter. What we are saying is "Start trusting us. Start listening to us and work with us." Just because something is more difficult to do does not mean we should shy away from it. We need to reflect the diversity that is out there. We cannot always manage down to the simplest single denominator. It is just simply will not work. It is far better to have as much community involvement as possible, and it is not just recreational fishers, it is the environmentalists. It is all the other users of that system getting together and working in a co-management approach.

Mr IAN COHEN: I appreciate that you say getting together but a lot of the rhetoric that is expressed as you have said in terms of authoritarian approach, and such things, creates resentment, even in your own membership. It comes down to, "The buggers are locking us out. They are not allowing us to do this. We are losing our original freedom to be able to fish where we want, when we want, and such like." I put it to you that our protection zones in New South Wales, if anything, is understating on an international level the percentages of areas that are so-called locked up.

Mr OLYOTT: It is very interesting when we get into the percentage game it is somewhat misleading. Again everything needs to be done on a regional basis. There is no way to put in one-size-fits-all. We need to form regional committees to look at marine protected areas in that particular region. I have great faith that there is a way forward in this whole process, there has to be. We agree on many similar things. Recreational fishing and conservation agree in looking after the species into the future. There is common ground that we can start with and work with. To date the antagonistic approach has not worked out for anyone. I think if we carry down onto that approach we are going to face another decade of this resentment around marine protected areas. It is time for a fundamental change.

Mr IAN COHEN: Perhaps so but this approach often has created a situation where local interests might feel that they are trampled on, but at the same time the end result with the increased resource can change people's minds. Have you experienced that?

Mr OLYOTT: Yes, absolutely.

Mr IAN COHEN: I am not sure of the exact site but perhaps it was Narooma on the South Coast where there was a lot of fury when recreational fishers were so-called locked out of driving their vehicles to a favourite fishing spot, and after a hue and cry it was opened again. Those same fishers said, "No, we want it locked up because then we walked there and we had better quality of fishing, slightly less effort from the recreational fishers." Is that also an argument that with the proper information the result can be of benefit both to the fish stocks and those people who decide they are going to take a walk?

Mr OLYOTT: I will not argue with that and I definitely agree with that but we need that ongoing assessment and monitoring to say, "Yes, the stocks have improved" and that you can point that back to the closure or the sanctuary zone. Now a lot of the research at the moment indicates that it takes sometime for that to happen. There is a recent paper about reserves on the Great Barrier Reef that have been closed for 10 years and only now we are starting to see some of that effect. I totally agree with you, there is a place for them, it certainly works but it comes back down to that process of involving the leaders of the recreational fishing community early and allowing them to make a responsible decision. It is that trust issue that we need to get back to.

The Hon. RICK COLLESS: Can you quickly tell us what your qualifications are? Are you a scientist by training?

Mr OLYOTT: Yes. I have a master's in fisheries science.

The Hon. RICK COLLESS: The funding for your position is about to expire, I think you said?

Mr OLYOTT: Yes, at the end of the month.

The Hon. RICK COLLESS: Yet Recfish has been in place for 27 years?

Mr OLYOTT: Yes, 27 years.

The Hon. RICK COLLESS: What arrangements have been put in place post your position funding, or are there plans to refund it, or what?

Mr OLYOTT: As this moment the organisation is looking at going voluntary and possibly basing out of the VRFISH office in Victoria where they may be able to handle the administrative components. It will be a challenge to find people to attend meetings. I think at the last count I sit on about 12 different committees, and being able to get people to those meetings without a full-paid position will be a challenge. I think it is vital that Recfish Australia does not disappear at this point in time.

The Hon. RICK COLLESS: Your position is the only funded position in Recfish?

Mr OLYOTT: That is correct, yes.

The Hon. RICK COLLESS: The main question I wanted to ask you is does Recfish have any input into the consistency of zoning and regulations across jurisdictional boundaries?

Mr OLYOTT: No direct input. We would have input if we were invited to or if we specifically made an appeal on behalf of our members to do that, and I guess that would be through the Australian Fisheries Management Forum. But, to date, no ongoing case to do that.

The Hon. RICK COLLESS: The other question I had following the discussion a few moments ago about beach access, do you see that we should be looking at alternative ways to provide that beach access, particularly on beaches that are regularly used by four-wheel drives for quite a substantial mileage up and down each beach, as a lot of beaches are in New South Wales, to provide alternative access behind the beach?

Mr OLYOTT: I guess there is a range of different options that can be applied but, as I said before, it will depend on that particular location. I imagine it is predominantly a State issue to deal with State planning and local councils to get on board and to deal with those issues. It is difficult to have any sort of broad opinion on that.

CHAIR: Your submission, on page 3, recommends a strategic approach to the collection and management of economic data for recreational fishing. I am aware certain organisations—AFTA and BIA, and organisations like that and I think even ACORP—have commissioned independent surveys in the past. Can you elaborate on the type of economic data you think it is necessary to have and what benefits in terms of decision-making with respect to recreational fishing will this data provide?

Mr OLYOTT: The economic data question is fairly vexatious for recreational fishing. Some prominent economist has said expenditure data does not relate to the value of the fishery, yet there are established economic methods that do, such as the travel cost method. So, I think the first step is applying the appropriate models and consistently across jurisdictions. The use of that information would really allow us to know what, done correctly, would be the value that recreational fishers place on their fishery in dollar terms and, on the other side of it, if we stick with simple expenditure it allows us to know what is spent in that industry. It also gives us some idea of where that spending happens and allows us to identify regional and rural spots, which are probably recreational fishing hotspots, and areas where we can go and look at improving the infrastructure and the options and really developing recreational fishing not only for the local community but also as a viable tourism alternative in those areas. It is absolutely vital.

It also adds some weight when we go into discussions as an industry with government. We are able to say this is the economic contribution of our industry. Many politicians understand dollars and dollar figures and that background, which is lacking, and right now it is fairly piecemeal. Some of the surveys, such as the AFTA, BIA surveys you talked about, which looked at marlin fishery, the offshore fishery, it is localised. You have the Snowy Mountains survey. There is very little comprehensive data. Our last national data set is 2001. It is hopelessly outdated.

CHAIR: Yes, I made the same point to the representatives from the government departments earlier. I do not know whether you were in the room at the time they were giving their evidence, but some questions were directed to them. Given the Government's most recent public statements that it will not be pursuing any further marine parks on the coast of New South Wales until it can satisfy itself it has a handle on the management of the existing marine parks, and your statement that sometimes it can take up to 10 years to determine whether ecological benefits have been realised as were hypothesised, do you believe the Government is in error there, that it should perhaps be going ahead with further marine parks, or are you of the view that some time needs to pass by, some water under the bridge, so to speak? What is your viewpoint?

Mr OLYOTT: One thing I am mindful of is there is an international agreement to have a comprehensive representative network of marine parks by 2012. What is that measure? It has no percentages of cover attached to it. On the other hand, I am also mindful there have been a lot of changes both to commercial fishing and to recreational fishing over the past decade, and especially over the past five years—changes to bag and size limits, changes to closed areas, buy out of commercial effort. They are a lot of changes to put on an industry and it is probably time to sit back and see what has that done. The argument is always put forward that marine protected areas are not about stopping fishing when, in fact, fishing is probably the one activity that is most impacted by marine protected area planning. So, the two are intrinsically tied together. So I think there is a time to sit back and see what have these fishery management changes had on our fishery.

It is also time to look at the industry and ask whether the industry has adjusted to a lot of the changes. More importantly for the commercial industry, it has had a lot of impact on it, financial impacts. They also flow through to the recreational industry; boat dealers and the tackle industry also faced enormous economic challenges, and any more impost put on the industry may be the final nail in the coffin for the small operators.

CHAIR: Amongst the submissions we received from both the recreational fishing industry and the commercial industry there is a lot of tension. Obviously commercial fishers are worried there may be more restriction on commercial fishery. We have heard some comments this morning where up to 30 per cent of New South Wales fish consumed is imported. Your organisation has not had any experience in dealing with the tension between recreational and commercial fisheries in that, as you say, you deal a great deal with the Commonwealth fishery. If so, can you bring to the room any advice as to how those tensions can be resolved? What are the mechanisms by which the tensions between recreational fishing and commercial fishing can be resolved?

Mr OLYOTT: It is a very difficult one to answer. In many instances a peak body like Recfish Australia has a good relationship with the peak commercial bodies. We meet with the Commonwealth Fisheries Association, which is the commercial fishers in Commonwealth waters. All of the seafood industries are trying

to form themselves again into an alliance—they lost their peak body—and we are on very good terms from an officer-to-officer level with those peak bodies. As a peak body they have responsible attitudes and also want to see sustainable management. However, their membership, much like ours, we cannot control them and you will see grubs in every one of these industries, in the commercial industry, that give the rest a bad name.

We do work very closely with them, and again it is identifying what are our common issues. Yes, we have points of difference. In particular, when you are talking about Commonwealth fisheries, like the tuna and the billfish, there is at times a fair degree of tension, but right now we seem to have an agreement in place with commercial fishers that they will not fish around the game fishing tournaments, particularly up and down the New South Wales coast. The dates of those game fishing tournaments have been advertised to the commercial fishers and there is almost a gentleman's agreement not to interfere with that happening. On a national level we still have to get back to resource sharing, a plan that was progressing nicely until 2007; it is now on the backburner. We have to have that discussion, but this is your recreational bit of these fisheries.

CHAIR: Without upsetting some of your New South Wales potential constituents, how do you feel that issue has been handled in New South Wales? To your knowledge has there been enough consultation between the two groups?

Mr OLYOTT: To my knowledge, I do not think so. The way to do it is to get everyone in the room together in a constructive way.

The Hon. CHRISTINE ROBERTSON: They would pick out each other's eyes.

Mr OLYOTT: No, they would not. I guarantee that if you have the right people in the room that will not happen. The right people are those who are responsible and can take a responsible position. We in our industry know that there is a real lack of that kind of leadership coming through. You can do it. You have some very good commercial leaders in New South Wales, and some good recreational leaders.

Mr IAN COHEN: I have a question that I will put on notice.

CHAIR: Thank you for appearing, Mr Olyott, especially as you had to travel far to be here today. Thank you for your evidence. Along with the 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 OLYOTT: Yes.

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

Mr OLYOTT: Yes.

(The witness withdrew)

(Luncheon adjournment)

GRAEME STANLEY BYRNES, Manager, Alan A. Byrnes and Sons,
sworn and examined:

GRAHAME RICHARD TURK, Managing Director, Sydney Fish Market, and Chair, New South Wales Seafood Industry Council, PO Box 247, Pyrmont, and

MARY HOWARD, Director, New South Wales Women's Industry Network Seafood Community, 577 Singleton Road, Laughtondale via Wisemans Ferry, affirmed and examined:

Mrs HOWARD: I am a partner in two prawn trawlers that harvest prawns in the Hawkesbury River.

CHAIR: If you should consider at any stage that certain evidence you wish to give or documents that you may wish to tender should be heard or seen only by the Committee, please indicate that fact to the Committee and it will consider your request. If you 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 upon which the questions are forwarded to you. Would any or each of you wish to make an opening statement?

Mr BYRNES: Honourable members, while this Committee is considering matters relating to recreational fishing, in particular the possible creation of further recreational fishing havens, known as RFHs, it will at the same time consider the future of the New South Wales fishing industry and local seafood production. The initial round of RFHs in conjunction with marine parks professional fishing exclusion zones has put the New South Wales fishing industry on a knife edge. The New South Wales fishing industry cannot cope with further professional exclusion zones. In all likelihood, such will destroy the industry. Further, no meaningful consideration or assessment has been made of the economic and social consequences of the impact of seafood production exclusion area processes to date. It is high time that was done.

To foster investment and job creation, the New South Wales fishing industry and its associated businesses are in desperate need of security. The very fact that this Committee exists is destabilising in itself. The industry is fearful of what will be recommended. Notwithstanding the above and in your considerations in the months ahead I earnestly encourage strong engagement with the fishing industry. They have a poignant story to tell. On their behalf I wish the Committee well in its considerations.

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

Mr TURK: I add two things to what Mr Byrnes has said. First, I support his statement that the commercial fishing industry is facing very difficult times and announcements such as today's announcement about the Solitary Islands Marine Park, is just another cut in the thousands of cuts that the industry has had. The cumulative impact of marine parks and recreational fishing havens has been quite considerable on the commercial fishing industry. The second thing that I would like to reinforce, and which has been included in our submissions, is that recreational fishing activities—and I am not against recreational fishing, I am one myself, although I do not catch much fish—has an environmental impact, and that has not been assessed. We cannot really even agree on how many recreational fishers there are, let alone what they catch and what are the other environmental impacts of their activities. We consider that to be essential before any further Recreational Fishing Havens (RFHs) might be considered.

CHAIR: Mrs Howard, do you wish to make an opening statement?

Mrs HOWARD: I just endorse that.

The Hon. CHARLIE LYNN: Mr Byrnes, in your submission you state that there is a need to bring the recreational fishing and commercial fishing sectors together, to work with a common interest in the sustainability of the fish resource.

Mr BYRNES: Yes.

The Hon. CHARLIE LYNN: Can you suggest any ways that those two sectors could be brought together to increase cooperation and to act as a representative for the fishing industry?

Mr BYRNES: I strongly believe in this, and I have been advocating such since at least 1999, when Mr Obeid was the Minister. We had a meeting at the airport, and this was one of the key themes that came through back then: that, as there is one resource there really should be one source of advice to the Minister on that resource. It seems an oddity that we have separate advisory councils advising the Minister on the extraction or use of the one resource. To that end, in some degree in recent years there have been working groups established under the Seafood Industry Advisory Council, which is effectively the commercial counsel advising the Minister. Those working groups have met with the working groups of the Recreational Fishing Advisory Council, and I believe, as I stated in my submission, that we found that we agreed on far more than we disagreed on.

We were making significant progress in a number of areas. In particular, one area was joint approaches to the issue of industry structural adjustment, that is commercial industry structural adjustment. That was the principal reason for those working groups being established. Over all those meetings have been ad hoc, they have been not really formalised in any legislative and regulatory sense. It would certainly be of advantage to the Minister and I am sure it would be an advantage to the resource and an advantage to both sectors if, instead of looking at each other from a distance that we were in the same room around the same table together. That would be of enormous advantage.

The Hon. CHARLIE LYNN: It may have been in your submission where there was mention to recreational fishermen who are far more sophisticated now. It is not just a matter of throwing a line in the water and pulling out a fish. They are almost commercial in their sophistication of fishing.

Mr BYRNES: It is quasi-commercial, if you like. Like Mr Turk and many other young men growing up at the time we all went recreational fishing with our fathers even though my family have been commercial fishermen for a very long time. The first thing I ever did was wet a line. That was my pastime when I was a boy; took out the odd cigarette and smoked that while I was out there as well, while mum was not watching. That was all good fun and it was part of our growing up and part of our education. But that was rowing around in a boat on an estuary with no propulsion, no fishing reel, certainly with no GPS and no navigation system that would take me to the best point, as you can get now. The capacity of recreational fishers to be able to access information is space age now. You can go into the web now and get the coordinates of any reef you like. You can be the most hopeless recreational fisherman in the world. All you need is a boat, probably a pocketful of seasickness tablets, some bait, your lines and you can go out, put the coordinates in your GPS and away you go. The boat will steer you to exactly where you want to go and you are catching fish.

The Hon. CHARLIE LYNN: The EIS has been done for one side of the industry but not the other. Is that right?

Mr BYRNES: That is correct.

The Hon. CHARLIE LYNN: Are you calling for two separate environmental impact statements or do you think a single EIS for the whole industry would be a stepping-stone towards getting a united peak body?

Mr BYRNES: I think it is the Achilles heel of the recreational sector. By not having an EIS I think they leave themselves exposed to criticism that they are not serious about their impact upon the resource. There are numerous species of which the recreational sector takes two, three or four times, and in the case of mulloway up to 10 times, more than the commercial sector. Mulloway has now been declared an overfished species and one would imagine that because the recreational sector takes so many that would primarily be laid at the feet of the recreational sector. It is not just the extraction of fish; it is the use and discarding of fishing lines and a whole host of issues similar to those in the commercial sector. I recall well that I sat in the gallery in the Legislative Council watching the original legislation going through the Parliament. It was fair in that it provided for assessment for every extraction method and category that there is—commercial, recreational, shark meshing, fish stocking, et cetera. For some reason or other between then and now recreational fishing has been excluded from that process and I think that was an error. For the sake of the security of the resource the recreational sector should be subject to assessment. I believe the appropriate mechanism then was the Environmental Planning and Assessment Act and I remain of that view now.

The Hon. CHRISTINE ROBERTSON: I have a question about the advisory bodies. There are two trust advisory bodies—

Mr BYRNES: There are two councils.

The Hon. CHRISTINE ROBERTSON: Is there a ministerial advisory body for commercial fisher persons?

Mr BYRNES: That is encompassed within the Seafood Industry Advisory Council [SIAC].

The Hon. CHRISTINE ROBERTSON: So at the moment there are three separate advisory councils. Is there a process whereby representatives from those councils could meet on a regular basis that would address your issue of people not working together, rather than dismantling the current processes? I cannot imagine you would want the Seafood Industry Advisory Council to be removed.

Mr BYRNES: At the last meeting of the Seafood Industry Advisory Council we made a recommendation that there be a review of all councils and committees under the Minister.

The Hon. CHRISTINE ROBERTSON: There are three of them that are relevant to this discussion.

Mr BYRNES: Aquiculture, commercial and recreational, as far as I am aware. Those councils need to come together. We virtually tried the ad hoc, let's get together every so often type of approach.

The Hon. CHRISTINE ROBERTSON: No, not ad hoc but a formalised process where there are representatives from each of the three groups on another body to thrash out problems.

Mr TURK: Can I just add to that? In fact, the Seafood Industry Advisory Council has indigenous fishers represented, it has—

The Hon. CHRISTINE ROBERTSON: But they are commercial indigenous fishers.

Mr TURK: No, they are there as indigenous fishers, and the Nature Conservation Council is also there, so there is the ability and there is already around the table everybody except the recreational fishers.

Mr BYRNES: Bear in mind also that on every management advisory committee for the commercial sector there sit recreational fishers, the Nature Conservation Council and indigenous fishers. The oddity in the arrangement is that on the commercial council there are no recreational fishers and on the recreational council there are no commercial fishers. It would seem to me to make sense, particularly considering the plethora of committees and councils that we have, to combine those two committees.

The Hon. CHRISTINE ROBERTSON: Would you have a problem with the different terms of reference? The trusts are—

Mr BYRNES: I am sorry to interrupt but they are not trusts.

The Hon. CHRISTINE ROBERTSON: But they are dealing with the trust funds, are they not?

Mr BYRNES: The Recreational Fishing Advisory Council deals with advice to the Minister. The trusts are two separate bodies apart from that council. The trusts can remain with the membership and so forth and how they wish to expend their money is their business. We have a similar arrangement on the Commercial Fishing Advisory Council and we have a budget working group. So far as the two councils and peak advice to the Minister are concerned, my view is that with one resource you should have one source of advice to the Minister that takes in the lot.

The Hon. CHRISTINE ROBERTSON: You would have to knock some persons out of your organisation to make a functional grouping. How would you process that?

Mr BYRNES: Arguably, yes. We are now in the process of reviewing our council. It has been in place since 1997. It is a reasonably large council. Whether we need as many commercial representatives as we have is questionable.

The Hon. CHRISTINE ROBERTSON: Would you have problems with geographic cover?

Mr BYRNES: We cover the whole of the State now.

The Hon. CHRISTINE ROBERTSON: I know you do now, but I am talking about whether—

Mr BYRNES: If some people are not there, for argument's sake. I can give you an example.

The Hon. CHRISTINE ROBERTSON: I am not asking whether you have problems now but whether you would have problems if you had to change your structure to encompass another group.

Mr BYRNES: No, I do not think so. I do not think it would be an issue.

Mr TURK: At the time we had the Fisheries Resource Conservation and Assessment Council, which had the environmental impact assessments carried out on each of the commercial fisheries, we had around the table everybody that we are talking about, including recreational, so it did exist.

The Hon. CHRISTINE ROBERTSON: So you have had an example of a functioning body. How long ago?

Mr TURK: That was in 2001-02.

CHAIR: When was the last time that SIAC and the recreational fishers met?

Mr BYRNES: From memory, about two years ago, informally. That is just the two working groups. We had a SIAC-ACORF working group.

The Hon. CHRISTINE ROBERTSON: We were told earlier that the same amount of commercial fish is being harvested as before the buy-outs. Can you comment on that and explain why?

Mr BYRNES: It would be better for Mr Turk to answer that.

Mr TURK: I have some data on New South Wales seafood production going back to the five years 1987-88 to 1991-92 and 1998-99 to 2003, and then to current if you would like me to hand that out.

CHAIR: Yes please.

The Hon. CHRISTINE ROBERTSON: I would just like to say there are a lot of people who support commercial fishing in New South Wales, so you do not have to be so defensive!

Mr BYRNES: It is pleasing to hear.

Mr TURK: A lot of people eat fish.

Mr IAN COHEN: In the council's submission it states that environmental degradation is a much greater danger to fish stocks than commercial fishing. Can you provide any evidence to support that claim? In relation to the fishing effort now, some information has been put before the inquiry in relation to the commercial industry. How do you see your organisation and the commercial fisheries working? I understand your group won an environmental award with your fishing operation in the Hawkesbury River. Often we find people think the commercial fishing industry is out there and going for it when in fact you have some substantial built-in environmental controls and directions. Could you explain to the Committee the level of regulation you find yourself working under and perhaps refer to the example of your own business and how that is working with the environment?

Mrs HOWARD: Referring to the actual practice, working under the Fisheries Management Act, the regulations with which a trawl fishery has to comply are quite complex. There are a multitude of restrictions relating to gear size, boat size, mesh size, the area that you can access, by-catch exclusion devices, days worked, and a reduction in days worked not so long ago. All those activities are put there to make the fisheries sustainable. Fishermen tend to go with the flow in relation to those regulations and understanding why they are there. Sometimes—for example at the moment—we deal with the square mesh codends issue. Science has said that it is in the best interests of sustainability for fish stocks. However, the fishermen want that to be reviewed; they are not particularly happy with the square mesh codends. Commercial fishers in the Hawkesbury introduced it themselves.

The Hon. CHRISTINE ROBERTSON: I am sorry; I do not understand the term.

CHAIR: Could you explain what it is?

Mrs HOWARD: The by-catch exclusion device, or square mesh codends. The mesh net predominantly is diamond. The new codends that are now required under legislation are square rather than diamond and they are a specific size. The industry introduced weekend closures in the river so that it allowed recreational access without trawlers. Recently we lost weekend access and that has been a major issue.

The Hon. CHRISTINE ROBERTSON: In your river?

Ms HOWARD: In our river and specifically for the prawn trawl fishery. When you think about fisheries you have to understand that there is a prawn trawl fishery, an estuary general fishery and an ocean trawl fishery. If you do not comprehend the commercial complexities of all that you would not realise that they are all different. Similarly, if you are fishing in the Hawkesbury River for prawns you cannot think that you can take your gear, put it in the Clarence River and go fishing. It just does not work that way. Each fishery works differently, each area works differently, and each species is different. That is the complexity of managing fisheries resources. It is also the complexity of managing the environment for those fish resources. If I speak for the Hawkesbury and the environmental impact I could be here for many hours.

Mr IAN COHEN: Give us a couple of highlights.

Ms HOWARD: Essentially, you have urban growth and you have catchments that harvest water. Therefore there are dams, there are weirs and there is development that changes the natural run-off of water and the natural environment in the river is altered. What is happening across the State is that humans tend to process that water and it has to go somewhere after it has been processed. Invariably it goes back into the environment in a variety of treated formats. If that treatment process and the return of that treatment process are not adequate it will have a major impact on the environment. It is easy to recognise, for example, red spot virus because it is visual. It is easy to recognise when fish come up belly up as a result of acid sulfate run-off. But it is not easy to identify when spawn do or do not survive because of chemical contamination. Those areas of research into environmental impacts are lagging. Over the past 12 or 18 months there has been significant environmental damage to fish stocks right across the coast. I do not believe it is hard to identify the environmental degradation that is there. What is hard to identify is the impact on zooplankton, or the impact on larvae. We do not know those figures.

CHAIR: Mr Byrnes, did you have something to add?

Mr BYRNES: Yes. I want to re-emphasise what Mary was saying in answer to Mr Cohen's question—environmental versus commercial fishing. I give you the example of the Clarence River, which is symptomatic of a number of rivers on the North Coast. There is prawn trawling in the Clarence River, mainly for school prawns. It is a significant industry. It had a very bad year this year, but regularly its catch is around 500 tonnes or 600 tonnes, which is significant. When you get a serious flood in these rivers, and I cannot remember exactly when the last flood occurred, the end result is that everything in that river is dead—small fish, large fish, prawns the whole lot—because of what is happening in the catchment. The water flows into the river after lying in the fields. It is deoxygenated and it kills everything in its path. When you go out onto the beaches and onto the banks of a river after a flood you will find that everything is dead.

In relation to commercial fishing there is no comparison to what happens in the Clarence River of the effect of such a flood. That has happened on a regular basis in recent years. To further emphasise that, some research was done. A lot of things were said about the damage that trawl nets did to benthic organisms in the Clarence River. The assertion was that it was damaging. I believe that Professor Tony Underwood carried out that research. In broad terms, his conclusion was that there was little, if any, impact of trawling on those benthic communities.

Mr TURK: None.

Mr BYRNES: So it did nothing. Compare that to what a major flood does. If we are talking about risk, where is the risk? The risk is not what the commercial fishermen or the trawlers are doing; it is what is happening in the catchment. That is no different to other places. Pick Port Jackson, if you like. You could turn

Port Jackson into a marine park tomorrow but that would not remove the dioxin. That has happened from the catchment. We should be adopting a risk management approach to these things, similar to the fuel authority. It concentrates on where the risk is. We are not doing that.

The Hon. CHRISTINE ROBERTSON: To which communities were you referring earlier?

Mr BYRNES: Benthic communities—the animals or small micro-organisms within the subsoil.

Mr IAN COHEN: Page 10 of your submission states:

It is estimated that 5 per cent of recreational anglers take most of the recreational catch.

How did you arrive at that estimation?

Mr TURK: I would have to find that out. It has been quoted in various places.

Mr BYRNES: From my understanding it comes from the national recreational fishing survey.

Mr TURK: I think it does. I will have to get back to you.

Mr IAN COHEN: Take that question on notice and get back to us with specific information. Do you have an opinion as to whether fish kills are a natural occurrence, or is it as a result of the modified environment, which is increasing the problem? Should we be looking at catchment farming techniques, et cetera?

Mr TURK: Totally.

Mr IAN COHEN: As a greenie I take your point. You have massive problems in the whole cycle of a fish. When we get these rain events how do we resolve the intensity of those fish kills? You are absolutely right; they wipe out the entire population, which recovers again afterwards. That was not necessarily the norm but is the norm now.

Mr BYRNES: Yes.

Mr IAN COHEN: Do you have any thoughts about the way in which we should attack that issue—whether it is red spot disease or massive fish kills?

Mr TURK: It is certainly not natural. The flood mitigation devices in the low lands on the northern rivers mean that when floods occur or high rainfall occurs water sits there and two things happen. One is that it sits and the vegetation degrades and so on. So you get the oxygen being taken out of the water. The second thing is that if it happens to be going through high acid sulphate soil, you get sulphuric acid. When those flood mitigation devices are lifted, that slug of deoxygenated and/or acid sulphate water moves down the river and kills everything. It comes from the fact that the flood mitigation devices are in place really rather than allowing the water to run into the rivers. I have photographs of the Richmond River. It has happened twice this decade where it was estimated that between three and five times the annual commercial catch was killed on each of those occasions. It is horrendous to look at the photos. I will send them in if you like.

Mrs HOWARD: Could I make a comment?

The Hon. LYNDA VOLTZ: What was the year of that Richmond River event?

Mr TURK: I think 2001 and 2003 were the two years, but I will confirm that.

Mr IAN COHEN: I think there has been a more recent one.

The Hon. CHRISTINE ROBERTSON: Just last year?

Mr IAN COHEN: Yes. It is almost an annual event.

Mr TURK: It happens regularly. An ex-commercial fishermen on that river, John Gallagher, has spent his life studying it. He could certainly give you some information on it. He takes pH readings and so on all over

the river. The other example I could give you of the impact on the environment would be the Great Barrier Reef Marine Park. If you look at its report published in the past 12 months, you will see that the main impact on the Great Barrier Reef Marine Park biodiversity is attributed to agricultural run-off, herbicide in particular, and the increasing acidity and temperature of water. There are plenty of examples where development, sea change and sewage outfalls, as Mary said, are impacting on the nurseries and so on.

CHAIR: Ms Howard, did you want to add something?

Mrs HOWARD: Yes. Let us look again at the Hawkesbury River where you have an interaction in urban growth, natural flows and climate conditions. Two years ago the salvinia was quite visual and it took a cost of more than \$1 million to clean up the salvinia on the Hawkesbury. The general public could see that as a spectator. What you cannot see is the extent of *Egeria densa* in that river system today. That *egeria densa* is using up the oxygen in that water and sucking up the nutrients. It is not natural and there is tonnes of it, but you cannot see it—out of sight out of mind. Departments know it is there and it is part and parcel of what assists when you have a flood. Recently we had some significant flood events localised in Penrith and the Blue Mountains that washed tonnes of *egeria densa* downstream. That then gets into the tidal channel and settles. So it affects oxygen levels well down the stream. There are more things taking place when you have a flood event other than just acid sulphate that affects the oxygen levels.

Overall it is our planning, it is what we do with our waterways, is what we do with our catchments and it is how we deplete the flows into those waterways that ultimately brings about those fish kills and continually impacts the spawning and migration of fish. I do not believe that our planners take on board seriously enough an understanding of the impact on productivity of our aquatic ecosystems in the management of water. I do not know how many water conferences I have attended where fish is not a word to be mentioned. It is just not on the agenda in understanding. Water management in the minds of planners is about providing water for communities and humans. Water management in the big scheme of things needs to be about providing those things and the balance with the needs of fish and the aquatic environment. That does not exist.

Mr IAN COHEN: Why is the fishing industry missing out on the focus, priority or profile? Is it simply because the agricultural and other development interests on land have much more power within the community, the economy and the Government?

Mrs HOWARD: Definitely, and it is a numbers game. I put it in my submission as politics. Unfortunately, it is a political numbers game and the more you reduce the commercial fisher the less ability they have to have a voice and structure to get out there and impact. We talked about interacting with recreational fishers; our industry conscientiously goes out to work with and talk to recreational fishers. We invite them to go on our vessels to understand what we do. We have had to do that. We are on a river that borders a major city of Australia. We see ourselves as a threatened species.

The Hon. LYNDA VOLTZ: Why are the five years of production figures between 1992 and 1990 missing? The figures go from 1987-88 to 1991-92 and then 1988-89 to 2002-03?

Mr TURK: One is 10 years after the other. It was going back 15 years, then 10 years. It was just a sample. There is nothing sinister in it. It is just periods that were sampled. It was five years ending in 1992, the next was five years ending in 2003, which is 10 years later. We can do every year if you would like.

The Hon. LYNDA VOLTZ: No. I am just trying to understand the changes to the system. They were talking about 2000-01, is that right?

Mr TURK: Yes. I actually did not pull these out to bring here. I pulled them out for a separate and different purpose, to be honest, but I thought it might be useful.

CHAIR: It is very useful.

The Hon. LYNDA VOLTZ: The tonnage in the column "others" is very high. What is that?

Mr TURK: It is a whole lot of fish, including oysters also. Unfortunately, there is a whole lot of stuff in there. Tonnage of oysters does not mean a lot, and pilchards are for feed. The ones we were particularly interested in are in those figures. I will give you an example of the pipi. The huge reduction in pipi production came about as a result of the Marine Park, which really devastated Ballina's pipi harvest.

Mr IAN COHEN: But that is beach collection, is it not?

Mr TURK: Yes.

Mr IAN COHEN: It is a different process; you are actually beach dredging?

Mr BYRNES: Yes. You actually gather by hand, no rakes, no implements.

Mr IAN COHEN: Not using rakes?

Mr BYRNES: Nothing.

Mr IAN COHEN: Just by hand?

Mr BYRNES: Bare hand.

The Hon. LYNDA VOLTZ: Most of those have been taken from the one region?

Mr TURK: Yes, there was a lot from there.

Mr IAN COHEN: Correct me if I am wrong, environmentally in certain areas there has been a cloud over the suitability of the pipi because of environmental pollution issues? Has its gathering not dropped because of a dispute about the quality of the food?

Mr BYRNES: It is not so much a dispute about the quality of the food.

Mr IAN COHEN: Or the fact that it picks up pollutant in the environment?

Mr BYRNES: Well, it is a bivalve.

Mr TURK: Same as oysters.

The Hon. CHRISTINE ROBERTSON: Like oysters.

Mr BYRNES: Like oysters, yes. In recent years there has been a significant drop in pippies. Recently I was talking to one of the DPI or one of the DII scientists, and they are not sure exactly why it is. There is quite an abundance of very small pippies that are like the size of your thumbnail, but the larger ones are essentially disappearing. This is quite a dramatic drop because that was a very significant beach for the Ballina Fisheries Co-Operative. That beach was taken out of the equation and it cost the fishermen dearly and it cost supply dearly. It is not so much a matter of the pippies suffering from some sort of poisoning. There is a pipi quality assurance program to make sure that they are fit for human consumption, and that is well in place and well established. It is a very robust system. Every pipi gatherer pays a significant amount of money to be in it.

Mr TURK: I can assure you that the demand has not diminished. It is very strong. We get a lot of product from interstate—a lot of pipi product—and the price just continues to escalate. So it is very popular.

The Hon. LYNDA VOLTZ: I wish to ask a question relating to commercial fishermen in certain regions. When I was a youngster, my grandmother lived at Gorokan, just up the road from the Gorokan Seafood Co-Operative.

Mr BYRNES: Yes.

The Hon. LYNDA VOLTZ: The Foley family live next door to the seafood co-operative.

Mr BYRNES: Yes.

The Hon. LYNDA VOLTZ: The Foley boys all moved off the lake. This must have been when I was about 13 or 14, so it was 33 years ago.

Mr BYRNES: A couple of years.

Mr TURK: As a result of the RFHs.

The Hon. LYNDA VOLTZ: Yes. Obviously there has been an issue of stocks within these regions for some time now, or am I wrong, and have the commercial fishermen have moved off these lakes and moved further up?

Mr BYRNES: Can I ask which year you are talking about, without giving anything away?

The Hon. LYNDA VOLTZ: It was 33 years ago, but they would have move off from the Gorokan region of commercially fishing in Tuggerah Lakes.

Mr BYRNES: The Foleys have been fishing in Tuggerah Lakes for a long time.

The Hon. LYNDA VOLTZ: Yes, but they are not at the Gorokan end anymore. They do not fish down there.

Mr TURK: You are saying that they moved out before the RFHs?

The Hon. LYNDA VOLTZ: Yes. I am saying they moved out 33 years ago.

Mr BYRNES: Yes. I know them—Barry and Ross Foley. They moved to Wallis Lake.

The Hon. LYNDA VOLTZ: Yes.

Mr BYRNES: That was largely just a family shift. There was no issue of seafood production loss in Tuggerah Lakes. Tuggerah Lakes is still the most prolific producers of seafood in the State. It is a very good estuary. I know these guys well.

The Hon. LYNDA VOLTZ: I know Ronnie Foley very well as well. Ronnie told me they were moving because there was not enough fish.

Mr BYRNES: Who is this? Ron?

The Hon. LYNDA VOLTZ: Ronnie Foley.

Mr BYRNES: I do not know Ron. I know Barry and Ross Foley.

The Hon. LYNDA VOLTZ: Okay. Ronnie and Scott Foley were the ones who lived near the Gorokan Co-Operative.

Mr BYRNES: Okay.

Mr BYRNES: But that whole lake system was a huge producer of commercial fish. As I said in the submission, over 1,000 tonnes a year came in from those three or four estuaries. That is 1,000 tonnes a year of commercial fish that no longer comes to the market.

The Hon. LYNDA VOLTZ: But that would have dropped over the years?

Mr TURK: No.

The Hon. LYNDA VOLTZ: The silt run-off into those lakes has not had any impact?

Mr TURK: No.

Mr BYRNES: In some estuaries it has, but not in Tuggerah Lakes. Tuggerah Lakes still produces enormous quantities of seafood. This year is actually quite a good year for crabs in Tuggerah Lakes. A couple of years ago it was a bumper year for prawns. They regularly catch great quantities of bream, whiting and flathead.

The Hon. LYNDIA VOLTZ: Looking at the figures in terms of drop-off, where have been the big regions of drop-off?

Mr BYRNES: What areas have been lost, do you mean?

The Hon. LYNDIA VOLTZ: Yes. Obviously with pippies, we know it was Ballina.

Mr BYRNES: Yes. If you look at the spread of recreational fishing only for a start, and you look at the spread of recreational fishing havens and the area, say, south of Nowra in New South Wales, I will stand corrected if necessary, but I believe there is something in the order of 19 of the 30 recreational fishing havens, or 29 recreational fishing havens, that were created in that area. The principal industries that were closed in that area are St Georges Basin and there were other smaller estuaries, such as Tuross Lake. But if you take into account also major estuaries, such as Lake Macquarie, Botany Bay and so forth, based on the department's figures there are at least 1,000 tonnes of fish that have disappeared from that production, and that is a significant amount.

Mr TURK: Botany Bay is a good example because Botany Bay is also a very big producer. After Lake Macquarie, it was probably the biggest supplier of commercial fish. According to the guys that I speak to, the fishing in Botany Bay is appalling at the moment for environmental reasons. So taking out commercial fishing did nothing.

The Hon. TONY CATANZARITI: Mr Byrnes or Mr Turk, what percentage of fish is imported to Australia?

Mr TURK: First of all, let me explain that it is not an easy figure to work out because most of the seafood that comes into Australia comes in in processed form. You get tuna in a tin, not tuna with all the bones, heads, guts, and so on. It is not an easy figure to work out. But as close as we can get it, it is somewhere between 70 and 80 per cent of Australia's seafood that is imported, and that does include the canned tuna, the canned salmon and the frozen fish fingers and that sort of stuff.

The Hon. TONY CATANZARITI: I know from some fishermen that confidence in the commercial side of fishing is pretty low. Can you explain why that is the case?

Mr TURK: Mr Byrnes can probably call it better than I can, but I certainly visit all the fishermen up and down the coast, as well as all around Australia because we are supplied by them. There is extreme depression about the fact that nobody seems to care where their fish comes from. They feel that they are not valued and they feel that they are constantly having to defend their environmental credentials whereas others are not. Yes, the state of morale is very low. If you offer money to fishermen to get out, they will get out. They will take the money and run. That is not going to help the supply of seafood to the community.

Mr BYRNES: I agree. Morale is very low. It just seems that at every turn someone is trying to basically kick the fishermen out. And as I said in my submission, fishing for many of them is a tradition. Their families have done it for a real long time, not just in this country but going back to other countries as well—Ireland, Italy and whatever—and they take it very badly when that happens. There has been no social impact statement, let alone an economic impact statement, of the impact of previous exclusion processes.

Very largely it is fair to say that most fishermen are relatively poorly educated. They do not speak all that well in public. They find processes such as these daunting and threatening, and that is fair enough. They are reluctant to organise themselves because they act as individuals. Fishing is an individual thing. They often are not making an enormous amount of money—you do not see too many fishermen driving around in BMWs—but at the same time they are very good at what they do. There are not many people who can supply seafood in a professional way and in a lifelong way as New South Wales fishermen do and they have been doing it for a long time. They take it hard when they feel as though they are under attack, and it is reasonable to say that they have been for a long period of time.

CHAIR: I have to draw this part of the hearing to a close, or we will run over time shortly. Along with questions that you took on notice, would you agree to receive additional written questions from members of the Committee—questions that members of the Committee may not have had the opportunity to ask?

Mr TURK: Certainly.

Mr BYRNES: Certainly.

CHAIR: Would you agree to a return of your answers to those questions within 21 days of receiving those questions?

Mr TURK: Certainly.

CHAIR: I thank you for your evidence. I would like to reflect on a comment made by one of the other Committee members. Even though the terms of reference may appear to commercial fishers to be a "dead" commercial fishing exercise, I give you my personal assurance that that is not the case. We are here to hear all the evidence on recreational fishing, including how it impacts on commercial fishing, so your representations are here valid and will be taken into account.

Mr TURK: Thank you.

Mr BYRNES: Thank you. It is pleasing to hear.

(The witnesses withdrew)

STAN KONSTANTARAS, President, New South Wales branch, Australian National Sportfishing Association,
, and

JOHN BURGESS, Executive Officer, Australian National Sportfishing Association,
, sworn and examined:

CHAIR: If you should consider at any stage that certain evidence you wish to give or documents that 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 we commence with questions would you like to make a brief opening statement?

Mr KONSTANTARAS: The first ANSA New South Wales club was the St George Sportfishing Club. It had its first general meeting on 13 November 1968. In 1969 the national body was formed around Australia and since then ANSA has been primarily a sport fishing body focused on conservation issues and we have some very clear ethics in our association. We have some great mission statements: that we obey and respect local regulations, fish are to be killed quickly and should be prepared and preserved in such a manner to minimise spoilage and waste. We will not accept wanton destruction of fish species or damage to the environment. So we have pretty much been at the forefront for a good 40 years odd of trying to lead the way and represent sport fishing and the majority of anglers in New South Wales.

Mr BURGESS: I will just take that stand a little further. As a national focus we are probably one of the leaders in terms of recreational fishing groups advocating for conservation in all things we do. We are not just people who say these things; we do in fact put these things into practice. We have a very strong code of ethics and a code of practice, and we are constantly on the watch for revising that so to take into account when there are pressures on certain fisheries or in techniques on catches where we could have more focus on basically the catch-and-release ethos to return fish to the water with the minimum amount of harm as possible. In terms of our size, we are over 5,000 members across Australia. We are probably regarded as being one of the largest of the peak bodies representing recreational fishers in this country and we are represented in all States and Territories.

The Hon. CHRISTINE ROBERTSON: In your submission on page four you state, "There is a perception that the focus of both the Minister and the department has been on commercial fisheries and this mindset is devaluing the importance of recreational fishing to the New South Wales economy." We have quite a few submissions, and particularly submissions from the commercial fishing sector, that argue exactly the opposite case and have a perception that the Minister and the department are concentrating on recreational fishing, not them. So we are interested in hearing what actions gave rise to the perception you have that you are not being listened to or interested in.

Mr BURGESS: I will address that from two perspectives. The first one is probably the financial perspective. Very simply put, in terms of the published accounts that are available from Primary Industries, it is there, it is a public record. The recreational fishers, by way of their licence fee, contribute something in the order of about \$10 million per annum into the trust funds, which are utilised for a variety of activities, most of which have a direct nexus with recreational fishing but many of those have an overflow to have a capacity to also involve fishing in the broader sense including the commercial sector. In terms of my colleagues in the commercial sector—I might add, listening to some of the previous speakers, I am not against commercial fishing. I have the greatest respect for some of these people. They do it hard; they do it tough. In fact, many of my members are commercial fishers. So I concede both sides of the equation. But in terms of the fiscal contributions, the commercial sector, in terms of fees generated out of its various trusts by way of fees, management fees, licence fees, all the fisheries, including aquaculture, basically generate about \$3 million a year in terms of their revenue into the management of their own fishery.

In terms of the total amount of resources available in New South Wales Fisheries, which is pretty hard to pin down these days, given it is part of the monolith called Primary Industries and Industry and Investment, there are roughly 35 people who are working full time in terms of activities that have a direct nexus with recreational fishing. There are somewhere in the order of 350 people working in fisheries. So one could argue that in fact based on the revenue that is generated for New South Wales Fisheries, in terms of contribution by the participants, we throw in three times as much as they do and yet we basically get less than 10 per cent of the

overall resources allocation coming out of New South Wales Fisheries. I cannot comment on the full financial structure of fisheries because these days it is wrapped up into an overall monolith. You cannot in fact really pin down what sort of money is coming in or going out through the Department of Primary Industries which is relative to fisheries management practices itself. It is not there.

The Hon. CHRISTINE ROBERTSON: So in your mind does your analysis of this expenditure include all of the recreational fishing havens that have been developed?

Mr BURGESS: I am just talking about the pure practice of fisheries management.

The Hon. CHRISTINE ROBERTSON: The day-to-day practice.

Mr BURGESS: The dollars that are expended in this State in managing or researching or looking after our overall fishery, whether it be a commercial fishery or a recreational fishery. The fact is that recreational fishers contribute three and a half times as much as the commercial sector does in terms of fees to look after that particular sector. Certainly, money gets fed in from consolidated revenue out of Treasury but unfortunately I cannot be specific about that contribution because the financial accounts these days do not break it up as they used to. We do not know what sort of money is being put into New South Wales Fisheries because you cannot really pick it.

CHAIR: I have a point of clarification. The Hon. Christine Robertson asked you a question about recreational fishing havens. Who funded the recreational fishing havens?

Mr BURGESS: We did. The recreational fishing havens were in fact paid for initially by way of raising a \$20 million loan from Treasury, which has been progressively paid down over the past nine years. We are actually bringing that to a conclusion some time over the next 18 months. But essentially yes, you could argue that the recreational fishers in New South Wales did in fact buy out the commercial effort in those areas and we did in fact secure those recreational fishing havens.

The Hon. CHRISTINE ROBERTSON: I think that statement is made quite clearly through our evidence.

Mr BURGESS: There is no doubt about it. I was looking purely on the fiscal position.

The Hon. CHRISTINE ROBERTSON: Yes, the day-to-day. I realised you were talking two different issues there.

Mr BURGESS: In terms of more anecdotal evidence, we have always had a good working relationship with various ministries and the Ministers involved with New South Wales Fisheries of various government complexions over many, many years. I think we have probably one of the best working relationships with fisheries that I think exists in New South Wales. But having said that, there are many, many things that we have actually put to the Minister and to the Minister's advisors over the last five or six years that we believe were well-constructed and well-thought out strategies that would have been for the benefit of the greater public of New South Wales and in fact the management of that fishery resource and many of those things have been spurned. I will give you some good examples of that. We have recommended that we should be buying out the commercial effort in Sydney Harbour and in the Shoalhaven. I heard the previous speaker say there is no commercial fishing allowed in the Sydney Harbour area at the moment.

The Hon. CHRISTINE ROBERTSON: Botany—

Mr BURGESS: I am not talking about Botany Bay; I am talking about Sydney Harbour at the moment. The sad fact of life is that all those people who have had endorsements who were fishing in Sydney Harbour as commercial fisherman have now moved their effort up to the Hawkesbury. The Hawkesbury has now got twice as much commercial effort in it as it had before. That is not good for the fishery and it is not good for the people who historically have fished those areas, commercial fishers—they are not happy about it. There is a one-time opportunity there to actually buy out the commercial effort for those people who had their endorsements attached to Port Jackson and take them out of the industry. It is a simple fact. It is there but the Minister has made it quite clear he is not prepared to take any further effort out of the commercial sector in New South Wales unless we take out the commercial effort in a complete bioregion.

If you know the bioregion of Sydney, it is called the Hawkesbury bioregion. It runs essentially all the way from Stockton up north of Newcastle down to the Shoalhaven. We would have to take out every commercial fisher in that zone. I am not advocating that. I do not think it is necessary to do that and the point made by some of the commercial fishers here is that it would have a dramatic impact on the availability of fishery sources here for domestic sector, consumption; it would be a problem. But there are opportunities. We have seen this as being a win for everybody—a win for the commercial sector for those who are serious about being in it, a win for the recreational fisher but more particularly it would have been a win for the fishery itself. That is anecdote one. I can give you pages of them but I realise I only have limited time.

Members of the Committee would be aware that Ernst and Young carried out a comprehensive report in 2007 into the value of the striped marlin industry in New South Wales. It was clearly pointed out there in terms of the value, I think, the overall contribution in revenue from the capture of marlin is about \$500,000 per annum. The value of the recreational fishery from that same species is around about \$14 million a year. Our argument in terms of the value to the State and to the value of the public at large is that measures should have been taken in New South Wales and the Commonwealth, to actually prohibit the taking of striped marlin in New South Wales waters. A similar policy does apply at the moment in respect to black marlin and blue marlin. You cannot land a black marlin or a blue marlin in New South Wales waters even if you do catch them commercially. But for whatever reasons, that initiative has never been considered.

Admittedly, certainly there would be some sort of pressure being applied by the Commonwealth Government, I would think, would see that as being an intrusion of the State in Commonwealth fisheries management because that is where a lot of those fish are actually caught. The simple fact is in terms of the revenue generated for the State of New South Wales it would be far better for that \$500,000 to be terminated for the tonnage that is captured by way of striped marlin to be eliminated and for that particular fishery to be left as basically a recreational only fishery in New South Wales. Again, it is not going to take much to do that in terms of impact on the economy—\$500,000 is not a lot of money—but by doing that the application quoted in the Ernst and Young report would generate another \$6 or \$7 million for the New South Wales economy by having more of those fish available for the recreational sector.

I might add, in targeting striped marlin about 90 per cent of those fish are returned to the water alive and if you read some of the statistics available it is about an 87 per cent retention of life basically for those fish that are returned to the water. We do not take fish out of the water, catch it once, kill it and market it: they are too valuable. We catch a fish and put it back in the water and return to catch it another day. But that is another measure that has been rejected by Fisheries. I can give you many other examples if you want.

CHAIR: We have enough examples.

Mr BURGESS: So it is fiscal and it is more anecdotal on the socio-economic benefits of the application to the State. On the fiscal side, in terms of GST generation which goes to the Commonwealth and is returned to the States, one must be mindful in terms of the revenue that is generated out of recreational fishing, everything we do attracts the GST. We generate a hell of a lot of income for the industries that are associated with it—tourism, fishing tackle, boating, fuel, taxes and accommodation.

The Hon. CHRISTINE ROBERTSON: You are a tourist industry in your own right?

Mr BURGESS: We are a major player in that field. We pay GST on everything.

The Hon. LYNDA VOLTZ: In your submission you say, "As a sporting user group within the broader framework of the community we, as recreational fishers, do, in addition to paying traditional taxes, et cetera, directly contribute by way of licence fees to embrace our sport and to retain, enhance and increase our angling access and opportunity. Very few other sporting pursuits have to endure the financial burden that exists for recreational fishing within New South Wales". What do you mean by that?

Mr BURGESS: If I want to fish anywhere within New South Wales I have to have a licence, whether I fish in a lake, lagoon, a fresh water stream or if I want to go spearfishing, I must have a licence.

The Hon. LYNDA VOLTZ: The \$33 licence fee per year?

Mr BURGESS: It is \$33.

The Hon. LYNDA VOLTZ: I have a comparison, for example, my soccer fees this year are \$330 for the year that pays for the upkeep of the fields, amenity blocks, the grounds that we lease from the council and approximately \$30 for insurance. You say you have to endure a financial burden that exists for recreational fishing but fewer other sporting pursuits do. How do you compare \$33 with a soccer facility, for example?

Mr BURGESS: First off I would say none of the organisations you have just mentioned actually pay a direct tax to the New South Wales Government as we do by way of a licence fee. You do pay various fees to the bodies you belong to. Recreational fishers are in exactly the same boat. If a recreational fisher wants to belong to a club or whatever the case may be he likewise has to pay his fees to be part of the club to maintain the upkeep. Depending on what sort of a club you are in, yes, some clubs may charge \$50, \$500 or \$1,000 per year. I do not think the point you made has any relevance whatsoever to the question.

The Hon. LYNDA VOLTZ: You say "very few other sporting pursuits have to endure the financial burden". I am drawing a comparison between the fees paid by fishing of \$33 per year with sporting fees for other organisations. How you come to that statement?

Mr BURGESS: As a recreational fisher I pay \$33 a year, and for my family and kids.

The Hon. LYNDA VOLTZ: You do not pay for children.

Mr BURGESS: My children are older but I still pay for them. I have to pay for other people who may have the good fortune to be fishing on my boat. In terms of my other contributions for recreational fishing to enjoy my pursuit, certainly I have to pay my fees into my various clubs. I pay fees to the various bodies I belong to. I belong to about four or five sport fishing groups and game fishing groups in this State, and also internationally. I pay my fees, which roughly work out at about \$1,100 per year just to become a member of these bodies so I can actually compete as a sports fisher in those various organisations. I likewise have to pay those fees. Certainly there are many other recreational fishers out there who do not pay those fees and only pay their \$33. But most of those fishers, if you read some of the statistics available from the fishing survey, out of the four million people who actually say they do fish, only fish one or two days a year. It is a pretty high impost to pay \$33 on top of everything else they have to pay. They have to pay GST tax on everything they buy including tackle, bait, fuel, road tax.

The Hon. ROBERT BROWN: Mr Burgess is referring to the tax they have to pay.

Mr BURGESS: And many people took the view, if you look at the other States: Queensland does not have fishing licence per se, Tasmania does not have a fishing licence but it has a certain type of licence that applies to certain sorts of activities, the Northern Territory, one of the major fishing territories, does not have a fishing licence, Western Australia has just introduced a fishing licence which has caused a great deal of controversy at the present time, South Australia does not have a fishing licence and Victoria has also recently introduced a fishing licence. We are in the forefront so basically in terms of the overall demography of Australia New South Wales represents the largest group of recreational fishers and we are really, apart from the Victorians, the only recfishers who actually pay a licence fee.

The Hon. LYNDA VOLTZ: But you are not the only sporting organisation that pays a licence, for example, shooters pay a licence fee.

Mr BURGESS: They pay a licence fee to have a shooting licence, sure. I have no qualms with that.

Mr IAN COHEN: You are dipping a line into the commons there. It belongs to everybody. You are taking quite an advantage of what is a resource that belongs to everybody so may be it is reasonable to pay a licence fee because you are getting a lot of wonderful benefits—sporting, recreational, food supply and in your case competition which is close to a professional level. Would you agree with that?

Mr BURGESS: Certainly, Mr Cohen, I am happy to pay.

Mr IAN COHEN: You had a pretty big whinge before about how bad the State is treating your members and your organisation. In fact, you are getting a world-class resource, a world-class experience.

Mr BURGESS: Yes.

Mr IAN COHEN: You admit that it is a major tourist industry?

Mr BURGESS: Yes.

Mr IAN COHEN: Would you agree, especially as the average person pays \$33 a year to pull your weight, that it is not unreasonable?

Mr BURGESS: In terms of money—

Mr IAN COHEN: And I am not even a member of the Government.

Mr BURGESS: I know. In terms of my actual fishing, my licence fee certainly is the smallest part of my contribution.

Mr IAN COHEN: Thank you for that.

Mr BURGESS: And I have no qualms about that.

Mr IAN COHEN: The Australian National Sportfishing Association, New South Wales Branch, recommends that recreational fishers have a statutory right to State fishing resources that is compensable if rights are curtailed or removed. Would you agree that such a statutory right would be a privatisation of a public resource?

Mr BURGESS: Depends on which way you want me to answer that. I am trying to be as explicit as I can.

Mr IAN COHEN: Thank you.

Mr BURGESS: The simple way I see that is that going back to the \$20 million that was raised by Treasury to pay out the commercial efforts in those locations where we have fishing reserves. I heard the gentleman—

Mr IAN COHEN: And that is major. I was on the earlier fishing inquiry—

Mr BURGESS: I realise that.

Mr IAN COHEN: —when we saw a huge number of commercial fisheries closed down and this was political. The Government acknowledged your organisation's popularity and the support you had in the community. They were shutting down commercial fishers for recreational pastime. How many recreational fisheries have been shut down for commercial activity?

Mr BURGESS: I could not answer that.

Mr IAN COHEN: Would you agree that there were many?

Mr BURGESS: Certainly in the recreational fishers, I do not think there has been any evidence of them being shut down. Their access has certainly been denied in certain areas. But I go back to your initial point about the issue of statutory rights. The simple fact is that Botany Bay is a classic example. About \$10 million of the \$20 million that was raised was used to buy out the commercial effort in Botany Bay. I have no problems at all about that. It has been a remarkable fishing reserve, and contrary to the statements made by the previous speakers here, Botany Bay is now one of the best recreational fishing areas in Sydney. The only one better than that would be Sydney Harbour, at Port Jackson.

Mr IAN COHEN: And that was a straight political trade off.

Mr BURGESS: It was. Having said that, the number of fishers that are operating in Botany Bay, I would like to see the statistics on the actual catch coming out of Botany Bay, given that we have seen a major reduction in the overall economy generated by the commercial sector in New South Wales. The number of operators has reduced by 50 per cent.

Mr IAN COHEN: Yes.

Mr BURGESS: The total value of the catch has fallen from \$71 million 10 years ago down to \$63 million currently, and no adjustments of CPI. So in real terms it is down. The number of fishers has been reduced by 50 per cent, the number of licences are down by 50 per cent.

Mr IAN COHEN: And we are importing something like 60 per cent of fish stock.

Mr BURGESS: I heard the other figures, that is right. It is about 80 per cent of our total fish consumption product that is imported. My understanding is that the figures of what I call "raw material", which is not processed, is around 60 to 70 per cent of all fish product that is imported.

The Hon. LYNDA VOLTZ: Can you clarify that; is that a significant change over time?

Mr BURGESS: It is.

Mr IAN COHEN: Would it be reasonable to say that the commercial buy-out has reduced the commercial industry, as seen in so many other instances, and therefore commercially we are now relying on imports?

Mr BURGESS: We are, and so much to the extent that one question I was given notice about was that if we were to put further restrictions by further buy-outs of commercial effort in New South Wales, would that lead to higher prices of fish for consumption by the public in New South Wales.

Mr IAN COHEN: Or more import?

Mr BURGESS: To answer in terms of cost, I do not think it really would, because at the moment, in terms of raw or unprocessed fish, that is only roughly 30 per cent of the product that you buy in New South Wales that is sourced from New South Wales waters.

Mr IAN COHEN: Which is a pretty sad state of affairs.

Mr BURGESS: It is, but—

The Hon. LYNDA VOLTZ: Can you clarify that point. Is there not a difficulty in New South Wales because of the continental shelf and how short it is?

Mr BURGESS: Yes.

The Hon. LYNDA VOLTZ: There is a great comparison on the Australian fish stocks to those of countries such as New Zealand, because New Zealand has as big a fish stock as Australia due to the nature of its continental shelf and its fertile lands.

Mr BURGESS: Absolutely.

The Hon. LYNDA VOLTZ: Therefore, part of the question has to be ecologically about fish stock in an area that has that kind—

Mr BURGESS: You are 100 per cent correct. Historically, on the east coast of Australia, and particularly the New South Wales confines, if you read the history of Australian fisheries management going back to the 1800s it was recognised there and then that New South Wales is not a good fishery. I read the reports that were tabled in 1888, 1890 and 1900 and so on. I have read them as a point of historical interest. The comments that were made by the commercial sector in the public of Sydney back in those hey days, I can tell you, apart from the English being a little more eloquent than it is today, those comments that had application 150 years ago, are exactly as relevant today. There is very little difference. It has always been a poor fishery, and it will always be a poor fishery.

The sad fact of life is that once you get out past the 50-metre mark off the New South Wales coast, with rare exception there is nothing there. It is like the great desert, like Australia as a whole. Our ocean really reflects the continent as a whole. It is a desert, there is nothing there. The reefs where most demersal fin fish

captures are made are generally in the zero to 50-metre mark. Once you get beyond that, the demersal fin fishery does not exist. But I would qualify that by going further. Once you get beyond that, the other major fishery becomes the commercial fishery, which is the Eastern Tuna and Bill Fish [ETBF] fishery, which then gets into the bill fisheries and also the pelagic fisheries. They are huge fisheries in terms of the New South Wales fishery; eight or nine times their size. The simple fact is that 90 per cent of what is caught in Commonwealth waters as a commercial fishery goes off shore.

CHAIR: Mr Burgess, I will cut you off there and pass over to Mr Cohen.

Mr IAN COHEN: I appreciate your knowledge, but could you keep your answers relatively short so we can get through a few questions.

Mr BURGESS: I understand.

Mr IAN COHEN: On the statutory right privatisation, would there be a concern that this will greatly impact upon the State as a natural resource trustee and manager to achieve overall resource management objectives?

Mr BURGESS: I do not believe so. A similar process has been involved in the application in the United States for many years. It is not uncommon in the United States for the recreational sector to buy out a particular fishery to protect it. That is what I would like to think; that the recreational fishers of New South Wales, given the opportunity, would buy out our fisheries to protect them.

Mr IAN COHEN: But in certain species, the recreational catch is greater than the commercial catch

Mr BURGESS: Certainly, in some cases.

Mr IAN COHEN: Earlier I raised the point about king fish on the South Coast—

Mr BURGESS: Near Eden?

CHAIR: Montague Island.

Mr IAN COHEN: Thank you. Montague Island was a commercial fishing site. The Government came in pretty heavy there and stopped commercial fishing altogether. Within a week or so there were recreational fishing activities, actually contests, out of that site. That was quite a few years ago. The Committee heard evidence of that in the last round of inquiries. You are getting a lot of support and recreational fishing is getting a lot of support. The commercial fishers do have a role. I am concerned also that, given the intense debate over scientific data, evidence from fishing groups and contests over sustainable yields and populations, would it be appropriate to provide such a private inalienable statutory right?

Mr BURGESS: I believe it could be done. I hark back to Botany Bay. We paid out \$10 million to pay out the commercial effort. If the commercial effort had been retained in Botany Bay, and given that 30 per cent of Botany Bay has now otherwise been declared a no-go zone because of the construction activities of the Ports Corporation, the port expansion, the desalination plant, new cable laying exercises, and probably further expansion of the airport, the volume of Botany Bay is probably the same litre capacity as it was when Captain Cook discovered it.

However, in total area mass, surface area, it is now 60 per cent of what it was when Captain Cook arrived. In simple fact, that area has been consumed by landfill to make the airport's runways, ports, and God knows whatever. Historically in those cases where the commercial effort has been brought out of those areas, compensation has been paid. That is an historic fact. I am saying that we have now paid out the commercial sector, and automatically out by a de facto rate, I believe—

Mr IAN COHEN: You or the Government has paid out?

Mr BURGESS: We paid them out.

Mr IAN COHEN: Your organisation?

Mr BURGESS: Our licence fees paid. We bought them out. So I am suggesting that we should have a de facto entitlement to that.

Mr IAN COHEN: Your licence fee is paying for something much more than some sort of watery real estate transaction. Surely your licence fees are paying for an activity that is being undertaken. You want to have your fish and eat it too, by the sound of it.

Mr BURGESS: The major selling point when the fishing licence was introduced into New South Wales was that the bulk of it, by way of raising loan funds, was to buy out commercial effort and create fishing havens. We did that for the first two years.

Mr IAN COHEN: You have been doing pretty well. Under this Government you have done very well.

Mr BURGESS: We have not done anything in the last seven or eight years in that respect.

Mr IAN COHEN: On page 8 you recommend that recreational fishers should have reasonable access to all public waterways, such as a 20-metre buffer zone, and walking access on all freehold and Crown property. Is ANSA New South Wales branch concerned about climate change impacts such as beach erosion and inundation on recreational fishers?

Mr BURGESS: Yes we are. I am also a board member of Recfish Australia and I sit on a working committee looking at the implications of climate change for fishing.

Mr IAN COHEN: If that is the case, and I appreciate you are on that organisation, what is ANSA's position in relation to coastal works and developments that reduce access to coastal waters?

Mr BURGESS: I am trying to get my mind around your question and be more specific. Do you mean commercial development around coastal foreshores?

Mr IAN COHEN: Everything from commercial development to protection of the coastland and private property to regulation. Not rock walls or groynes any more, that is a bit '50s, but armouring of the coast—that type of thing.

Mr BURGESS: In terms of broad commercial development on our coastline as a State we have done some terrible harm to ourselves in allowing some of the commercial development on our coastal beaches and estuaries. Make no mistake about that. Unfortunately the harm has been done and we cannot correct it. The price we are paying for that now is areas where there are huge beach sand losses, inundation, and closure of some lakes on the South Coast. The reason they were turned into havens is that their access to the sea was closed, again because of changes to the environment in those areas. So, yes we are concerned about the implications of industry and, more particularly, we are very concerned about the implications of agriculture developments and the flow-on consequences they have.

Mr IAN COHEN: Do you have a position on the fish kills that we see?

Mr BURGESS: At Richmond? Yes, I have real concerns about that. Various rationales are put forward for that, the deoxygenation of the water being one and sulphate soil being another. They are generally given as the basis for that and it is fair to say that most of the areas where we have fish kills have been substantially under cane cultivation.

The Hon. CHRISTINE ROBERTSON: Or cotton.

Mr BURGESS: Not cotton so much. That is up the Namoi so cotton does not have so much impact beyond it and the Gwydir. Do not get me started on cotton or I will really get going! I am talking about coastal areas, the salt estuaries and our waterways. Much of the cane-growing area was low-lying swamp. Those areas were ploughed in. If those areas are left in their natural state you do not disturb the acid sulphate soils. Once you turn those areas over and expose them unfortunately those areas flood—they are also floodplains—and take away the topsoil. When you clear a cane field there is nothing left but exposed soil. The floods leach the acid sulphate soil and it runs down the watercourse and into the waterways. It deoxygenates the water and kills everything in those waterways. I am not against primary industry generally, but there is a very delicate balance between what you need for the national good of this country and what flows from that. Certainly in terms of our

marine parks and the marine areas off the provinces of central Queensland, and the Coral Sea, it is a fact that agricultural and industrial plumes moving into those areas represent a far greater threat than any other source and probably more so than anything that is going to come out of global warming.

Mr IAN COHEN: Either or both of you might want to answer this question. I put it to you both that while you represent responsible recreational fishing bodies there is a lot of irresponsibility in the recreational sector of fishing.

Mr BURGESS: I accept that.

Mr IAN COHEN: I am talking about environmental irresponsibility and a "get away with it if you can" attitude. Do you see a lack of visible compliance in metropolitan areas compared to regional or rural areas? Could you comment on that? Also, how many more compliance officers should the Department of Industry and Investment employ in order to improve or make reasonable the situation with compliance levels and compliance visibility?

Mr BURGESS: I will address that. I cover that in my paper. I have been a recreational fisher for something like 50 years now and in that time I have fished every week.

Mr IAN COHEN: Perhaps there should be a higher fee every year.

Mr BURGESS: I get good value for my money, I know. I pay a lot but I must say I give a lot back to recreational fishing as well. In all those years, apart from when I was doing some consultancy work for New South Wales Fisheries where I do meet them, I have never been approached by a fisheries inspector or a compliance officer in the field. I fish extensively in Sydney and I fish up and down the coast.

The Hon. CHRISTINE ROBERTSON: I have!

Mr BURGESS: You must be in the wrong places! To answer your question, I will generalise by saying that New South Wales Fisheries is grossly understaffed. I can understand that; it is just part of the economic rationale these days. If you can wind back a department you trim it back to the bare necessities. The area that has been cut badly is compliance officers. In some areas they were relocated. Some of the best compliance officers left the industry because they were not prepared to uproot and relocate their families. I cannot quote the exact number. You should put that question to the Department of Primary Industries. The number of compliance officer vacancies at the moment is unbelievable. More funds should be made available. It is a core activity of New South Wales Fisheries or Industry and Investment to have more people in the field, not only to catch people who are acting illegally but also to encourage the requirement to have a licence and to educate people far better than they are at the moment. When I see some of the things that people do I am very embarrassed to be a recreational fisher.

CHAIR: On page 18 of your submission you state that ANSA does support the use of sanctuary zones to protect representative critical habitat areas. However, you also suggest a number of methods, including "rotating sanctuary zones once regeneration is complete", "seasonal access to pelagic species" and "multi-use sanctuary zones should be used". How could the protection aim of sanctuary zones be reconciled with allowing fishing access in the ways that you are suggesting?

Mr KONSTANTARAS: It is the perception out there that it is just a percentage based target figure for sanctuary zones and the science behind it has not been qualified to our satisfaction at this time. Again, it is not that we cannot fathom the logic behind a sanctuary zone. We just do not agree with the current methods. Things like spawn enclosures, which recreational anglers currently embrace, and rotating sanctuary zones to let an area regenerate, much like a farmer—we would willingly accept that type of science. There is also stocking enhancement through breeding programs, and localised recovery plans for certain species. We have some pretty strict restrictions on species such as groper, which we have accepted and can live with. The lock it up and throw away the key percentage based sanctuary zones for responsible recreational anglers have not been proved to our satisfaction. We think there are better ways of doing it to give us fair and equitable access to the resource. I do not want to see wanton destruction of the resource. I have been fishing 95 per cent of my life and I do it responsibly. I teach my nephews and my club members to do it responsibly as well and to just take what we need for the table. Again, it is really hard to swallow some of the things that are being forced down our throats about percentage-based sanctuary zones.

CHAIR: Earlier I asked the marine parks people whether their policy would prevent them from putting, say, artificial reefs into habitat protection zones. When they came back their answer was that they had not thought about it but there was nothing that would prevent them from doing so. If structures such as that were placed in habitat protection zones would recreational fishers accept that those artificial reefs could become sanctuary zones once other sanctuary zones were seen to be replete, or do you want it all?

Mr BURGESS: Yes, we have certainly seen that. We have had dialogue with those other agencies, including the national park authorities and some of the conservation groups. I am pleased to hear what you are saying because the information that we were given, including information from my colleagues from fisheries, has been that that is not an option—putting artificial reefs into these zones or into marine parks generally.

CHAIR: Only habitat protection zones.

Mr BURGESS: Yes, in habitat protection zones. It would fit well and it would provide an opportunity to rotate those zones. The major problem you have relates to 20 per cent of the zone. In percentage terms, 20 per cent does not seem much: 20 per cent is not a great deal. However, the sad fact of life is that that 20 per cent generally is off the immediate part of our coast in waters in New South Wales. That is where all the fish congregate and that is where members of the public want to be. Having a protected zone in access to one position might be fine. You will see the resources naturally escalate in those areas because you cannot get them. However, it moves the effort that was otherwise there to go somewhere else. One area is enhancing itself as a protected fishery but the other areas that we know are good are under much more duress from recreational fishers, and more often from the commercial sector.

CHAIR: Earlier we heard from the commercial sector that it believed there should be greater formal consultation between the Seafood Industry Advisory Council [SIAC] and the recreational fishing industry because informal consultation does not appear to have worked. What would be your comment?

Mr BURGESS: It is not from a lack of trying on behalf of the recreational sector. I go so far as to state that I believe the recreational sector, both at a State and a national level, is reasonably well coordinated. It could be better. However, I cannot say the same about our industry. Our commercial sector in New South Wales is not a very well organised industry. You heard speakers here today say that. Most of these people are not well educated. They do not have economic backgrounds or accounting skills; they are third and fourth generation level commercial fishers. They do it because it is tradition. The average income for every commercial fisher in New South Wales this year was \$60,000. These people would be far better going on the dole in many circumstances rather than being commercial fishers. There is no future other than for the very few who are good at it and who can get the right equipment.

CHAIR: I take it that you are agreeing that it would be a good idea to require formal consultation?

Mr BURGESS: Certainly. In our dealings with the Commonwealth—with the Australian Fisheries Management Authority [AFMA], with the Department of Agriculture, Fisheries and Forestry [DAFF] and with other agencies—we have an excellent working relationship. We have a good working relationship with fisheries agencies in New South Wales. Good dialogue with the commercial sector has been tried but it is not working because we cannot get these people to the table.

Mr IAN COHEN: Do you accept that there is a natural spill out from population build-up in sanctuary zones?

Mr KONSTANTARAS: No. The target fish of recreational anglers essentially are migratory. We are not out there fishing 365 days a year at these spots; we change our fishing styles and locations and the species we chase depending on the seasons and the availability of bait fish and the fish that come in. I consider a lot of the fish that recreational anglers target to be transient. They are there one day but they are not there the next. Again, locking up an area may protect some of the demersal species in that area. We have some good protection. As I said, the groper is territorial and we have some good protection there from our bag and size limits. Again, most of the fish that we target—the bream, mullet, bonito, tailor, snapper, mulloway, king fish and pelagics—are not there every day of the year. Again, they are migratory and transient to those zones. Locking it up and saying, "We are protecting everything in this area to a recreational fisher" does not really make sense.

CHAIR: Thank you Mr Konstantaras and Mr Burgess for giving evidence today. Along with any questions that you took on notice during your evidence, would you agree to receiving additional written questions that members of the Committee might not have had an opportunity to ask you?

Mr BURGESS: Yes.

CHAIR: Would you be happy to return the answers to those questions to the Committee secretariat within 21 days of the date upon which you received those questions?

Mr BURGESS: Yes.

(The witnesses withdrew)

Short adjournment)

DAVID KARL THOMAS SCREEN, President, Lakeside Fly Fishing Club, , , sworn and examined:

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

Mr SCREEN: Just briefly I would like to say thank you very much for this opportunity. This is a great attempt by the Government to try to bring together recreational fishing stakeholders, both fresh and saltwater, to try to resolve some of the issues some of us might feel we have with the government or the agencies that work for government, and make the situation a lot better for all concerned, and also to manage our fishing stocks and resources now and into the future.

The Hon. TONY CATANZARITI: On page 5 of your submission you said, "The management of freshwater fisheries is hampered by the lack of coordination between State departments, local councils and private landholders." How would you like to see these organisations and individuals interact to better support recreational fishing in New South Wales?

Mr SCREEN: That is a very good question. From our experience, the work that is done in New Zealand at this point in time is very effective and has been for a lot of years. The trout fisheries in that country probably would be the best in the world—it is a fly fishing haven for people who pursue trout. Their processes seem to have been worked in full consultation with landholders, local council, government and their tourism departments. Access to rivers are clearly marked and defined. I have some handouts to give you. I have taken pictures of some of the locations I am talking about. There is a copy for each of you. We have noticed in recent times that fisheries in Victoria, particularly around the Goulburn Valley area, the towns of Eildon, Thornton and Alexandra, have all started to adopt a similar policy. I know it has taken a long time to get where it has got, but they are now starting to signpost the rivers. Access is clearly marked.

One of the last attachments in that document shows some of the signage at some of these access points. It shows the fish species and areas where the Government has put money into doing riverside rehabilitation works in bank reconstruction and removing willows, and where you cannot access various private properties. I would like the Government here to consider having a look and examining some of the attempts to date by other governments—particularly New Zealand, which would be the highest level I think you could possibly achieve, and, maybe in terms of a more local content, what they have been doing in Victoria. To us it looks like very good work. They have a long way to go but in the years we have been fishing down there we have noticed each year that a little bit more work has been undertaken. It seems to be having a positive impact on the local communities and anglers in general.

CHAIR: Just as a point of clarification, New Zealand has the Queen's chain, which we do not have here.

Mr SCREEN: That is right.

The Hon. CHRISTINE ROBERTSON: We need to understand what that means.

CHAIR: The Queen's chain is a measurement from the centre of the stream 22 yards either side which, in perpetuity, is held for public access along all streams and waterways.

Mr SCREEN: Yes. It makes it a lot easier.

CHAIR: It is an old colonial rule. In New South Wales I think the Queen's chain was abolished in 1850.

Mr SCREEN: That far back, is it?

CHAIR: Yes, a long way back. Following on Mr Catanzariti's question, are you aware of the work one of the acclimatisation societies or groups around the Southern Highlands has done with the Department of Lands in trying to manage access to impoundments and bodies of water?

Mr SCREEN: I have heard little bits and pieces about things like that, but for us, and I should not possibly say it in these terms, no offence is meant, it seems that access to those sorts of rivers in that area is limited to the membership of the clubs in that region. It is not a general access for everyone—all and sundry. There are other locations around the State where it is like that. I do not blame them. People will go through and just trash the environment or will just fish and take the stock out and deplete the resources for everybody. In some ways I do not blame them for doing that. Cooperation between all stakeholders, I am talking about the clubs and the acclimatisation societies, everybody, working together for the common good for the recreational angler—in our terms it is fly fishing for trout—would be of benefit to everybody, including the local communities in and around these areas.

The Hon. CHRISTINE ROBERTSON: Is the acclimatisation society the CMA?

CHAIR: No, it is a different thing.

The Hon. CHRISTINE ROBERTSON: What is it?

CHAIR: The Catchment Management Authority is the State—

The Hon. CHRISTINE ROBERTSON: I know what is a catchment management authority.

CHAIR: An acclimatisation society is like a group of amateur clubs that get together to do the stocking work from government hatcheries.

Mr IAN COHEN: Do they comprise amateurs?

Mr SCREEN: In most part, yes. They are all volunteers.

Mr IAN COHEN: Does the Government provide funding support?

Mr SCREEN: They get some money from government but a lot of them will actually contribute out of their own funds to help stock the systems they fish in or dams or areas on private property.

The Hon. TONY CATANZARITI: On pages 7 and 14 of your submission you discuss the work undertaken by the Victorian fisheries department to increase anglers' access to waterways and restore fish habitat in the Goulburn Valley area. Could you tell us how similar activities could be undertaken in New South Wales?

Mr SCREEN: I had the pleasure of meeting the Minister for the stocking or opening of their season in September last year.

CHAIR: Was that the Victorian Minister?

Mr SCREEN: Yes, Joe Helper. There was literature also from where we were staying and, as I mentioned earlier, there was signage on some river sites. They have done a lot of work in removing willows and blackberry along the Goulburn River. You could imagine how much that would churn up and make a mess of the riverbanks through erosion. Where they have pulled out willows they have put in what you could almost describe as a large box-type frame. They fill it with rocks and this helps to stabilise the bank and also allows a bit of an undercut for the fish et cetera to hide for protection because they have lost that with the willows being removed. They have been doing a lot of work in there. Some of those pictures I had provided will show you some of the signage. If you can make it out, you might see some of the riverside stabilisation works they have undertaken. I can provide other pictures that might show that more clearly.

Besides that, they have decided to start restocking rivers in that area with trout. They have let it go for quite a few years. There have been some conflicts within their own fishing departments whether they should be stocking trout. They believed the river in some instances was self-sustaining and that there were sufficient stocks of fish. So, they let them go and did not bother with them, but I think they have discovered over time that

the fishing stocks have dwindled. A lot of people go to that area and actually take and kill the fish, so there is little return rate. Over time the stocks have depleted. Now they have gone back into stocking those areas. They released about 4,000 fish last year and I think this year they will release about 20,000 fingerlings into the Goulburn River system. The water from Eildon pond, probably 20 or 30 river kilometres downstream, will be the beneficiaries of that stocking program and all the feeder streams and rivers that go into the Goulburn River.

They have made a conscious effort towards doing that. From what we have seen, they have supported that with literature and educational programs. I believe they are even thinking about taking this program into some schools. A lot of this has been governed by the fact that that area also was hit badly by the bushfires. This is an effort on the part of the Government to try to bring back into the area some economic activity and tourists to try to help stimulate the local economy. Either way it is going to benefit the angler and the communities that rely on the fishing dollar.

The Hon. CHRISTINE ROBERTSON: I travel the northern tablelands fairly often and quite often I see fly fishermen, who have parked on the side of the road and gone onto landholders' properties to fish the streams. Do you rely on the goodwill of landholders to do that?

Mr SCREEN: Yes we do. One of the most difficult things is to work out where you can access it. You might be aware that there is a lot of Crown access to a lot of waterways, but it is difficult without a sign. Sometimes you have an old topographic map or something or a pamphlet that says this is where you are going, but you are not usually certain. In our club we always encourage anyone if they are going to go into water and are not familiar with the area to approach the landholder directly. I have had no problems with any members being abused or whatever trying to do that. Most of our members usually fish in national parks anyway. I know it is very rural in the area you mention and I suppose most of that river is governed by access. But in saying that too, I was going through Wakool a couple of years ago and I stopped in at the tourist information centre. The local landholders provided a pamphlet inviting fishermen to come to their property and fish the waters. About 49 or 50 farmers provided their names and contact mobile phone numbers. I do not know whether that still applies today.

The Hon. CHRISTINE ROBERTSON: Do you think the local government body pulled that together?

Mr SCREEN: I do not know. I would say you are probably right, or the local tourist authority or maybe it may have just been one of the local fly fishing clubs. Most of us do not go up there because it is seen as a long way away and is out of the way. For us, going down to the Southern Highlands or over west to Lithgow, Orange and those places or down to the Snowy Mountains is considered a bit easier.

The Hon. CHRISTINE ROBERTSON: You would want to watch your membership: there are thousands of fly fishers up there.

Mr SCREEN: Maybe there are too many.

The Hon. CHRISTINE ROBERTSON: That sounds like a really good initiative that Walcha has put together. Maybe we could get some more information from them about that for the future. How would you propose that that specific issue, in areas such as the Northern Tablelands, could be addressed? Do you think it could be addressed in the same way as you suggest we copy the Goulburn model? It is a different issue, is it not?

Mr SCREEN: It is.

The Hon. CHRISTINE ROBERTSON: Because you do not have any nice little trails to get in there.

Mr SCREEN: No. I suppose you go back to the way they do it in New Zealand. I suppose the farmers over there would not want people just meandering through the paddocks and chasing the sheep around or upsetting something else.

The Hon. CHRISTINE ROBERTSON: But the farmers in New South Wales own their bit of bank, but the farmers in New Zealand that do not own their bit of bank, as you were saying.

Mr SCREEN: No.

The Hon. CHRISTINE ROBERTSON: So it is a different question.

Mr SCREEN: But sometimes you have to access through paddocks and walk in for 10, 15 or 20 minutes to get to it. Without knowing how to access it—such as its being clearly signposted on the public road so that you know you follow that fence line because it has steps right down to the gate, and you know exactly where you can walk—if you do venture of those tracks, you get a bit of an earful if you are caught. That could be something similar that we could do here.

The local chamber of commerce or maybe the New South Wales Farmers' Federation or one of the other local bodies may put proposals to the landholders. They could easily identify which rivers and streams contain trout and which ones are fished by anglers. They could maybe put in place certain access points through people's properties that are clearly signposted and marked—"This is where you enter. You fish upstream", and "This is your access point back out again". I think that would go a long way.

It is a very simple solution. It might solve some of the problems of people going in and leaving gates opened or camping on people's property and leaving rubbish and material there. I do not blame property owners for not allowing people to go onto their property because I see this all the time when I am out and about, even in some of the most pristine areas of a national park. You walk for quite a while and then you come to a point where you see a campfire and five or six VB bottles and you think, "How could they have done this?"

CHAIR: Maybe they were bushwalkers?

Mr SCREEN: I think so.

The Hon. TONY CATANZARITI: They were not full, either.

Mr SCREEN: No, they were not—unfortunately.

The Hon. CHRISTINE ROBERTSON: The Waterfall Way runs through there from Grafton. It is something that is promoted as tourism because of the national park processes. Perhaps that could be hooked together with the access to freshwater fishing processes. It is an idea.

Mr SCREEN: It is something that I think has taken a long time.

The Hon. CHRISTINE ROBERTSON: You have sparked an idea.

Mr SCREEN: I think it is the right idea, but some people take a long time to get the landholders together and maybe sell it to them. Some of them probably have had some pretty bad experiences of having people on their property, such as damage to fences, gates being unlocked, disturbing their stock and things like that, and leaving garbage and so on behind. But I think they also live in a community. People such as shop owners and others with commercial interests in the area would benefit greatly by having the angling dollar a bit more reliably catered to in some of these regions.

Jindabyne, Cooma and Adaminaby—towns like that is down south in the Kosciuszko area—rely heavily on that. Skiing lasts only about four months of the year and outside of that you really only have boating on the waterways, local activities in terms of farmers and things like that, and tourism mainly through the angling dollar. They should see a benefit.

If it was managed, possibly policed and if an education program went out in conjunction with what they are trying to do, that might help turn that perception around over time. Nothing like that will happen overnight. I believe from people I know and stay with in the Goulburn Valley who own the Goulburn Valley Fly Fishing Centre have been working to achieve what they have today for almost a decade, and they still have a long way to go. But they have made that first initial step, and it seems to be working well.

The Hon. CHRISTINE ROBERTSON: But the process at the moment would appear to be just trespass.

Mr SCREEN: Trespass basically, and vandalism and things like that.

The Hon. CHRISTINE ROBERTSON: But they have to trespass or they cannot get to the water.

Mr SCREEN: That is exactly right—unless you have permission or unless you know where there is a public or Crown access point. As I said, that in itself is hard, if the signs are not there. When you do find a sign, it has usually been graffitied or shot at, or something like that, and you cannot really tell what it says.

The Hon. CHRISTINE ROBERTSON: That there are fewer bullet holes in signs these days.

Mr IAN COHEN: Now that they have political representation.

The Hon. CHRISTINE ROBERTSON: There are definitely fewer shots taken at signs these days.

Mr SCREEN: It seems to be the spray can now.

Mr IAN COHEN: Obviously, I would be interested in the sustainability of this sort of industry. My understanding from acclimatisation societies is that trout fingerlings have to be regularly released into the environment. Is that true? They do not breed up in the wild.

Mr SCREEN: In some waterways, they do. They are self-sustaining populations and they rely on very little intervention to keep the populations going. The streams that are more susceptible or that need stocking on a more regular basis would be those that are in warmer climates.

Mr IAN COHEN: The higher you go, the more sustainable trout is?

Mr SCREEN: That is right.

Mr IAN COHEN: At the same time, it is having quite an impact on the native fish population. Are there no native fish populations up there that also provide that type of fishing experience?

Mr SCREEN: No.

Mr IAN COHEN: It is purely just the imported or European trout that make this a successful industry?

Mr SCREEN: Yes. There are some areas where you might find that the waters could be a little bit cold. You might get a couple of crossover areas where you might find Murray cod and trout in the same areas, or bass, or something like that.

Mr IAN COHEN: There is a highland native fish that they are trying to bring back.

Mr SCREEN: The freshwater blackfish?

Mr IAN COHEN: It might be that, but they are trying to bring back that or a number of native fish that have been impacted upon by the whole trout fishing industry. A feral species has been introduced that dominates the whole area. In terms of sustainability, it is not really a sustainable option, is it, to keep it alive by massive input of fingerlings from the hatcheries?

Mr SCREEN: Again, it depends on which rivers. Rivers in the Snowy Mountains are fine. They have cold, clear water. Populations there are mostly self-sustaining. Most of those rivers flow into the dams created by Snowy Hydro, so they store large stocks of fish. At breeding time the fish will move back up into the rivers and spawn. There are some resident fish as well. The fish populations that need stocking would be around the Lithgow, Wallerawang, Coxs River, the Duckmaloi, Fish River, and Cudgegong River areas because they are warmer.

Mr IAN COHEN: And farther north, I suppose.

Mr SCREEN: I do not know so much about up north. There is the Dutton Hatchery. I know they stock the rivers up there. But I also say that, given that the Barrington Tops and the New England areas are fairly high, the water would be cold enough for some rivers to sustain trout populations in their own right.

Mr IAN COHEN: As a trout fisherman, you have a general fishing licence. Is that right?

Mr SCREEN: That is right.

Mr IAN COHEN: Are there any costs other than equipment and self-sufficiency, et cetera? For an industry like this, are there any other costs involved at governmental level, such as licences, fees, et cetera?

Mr SCREEN: I suppose there is signage. There would be educational programs, and the pamphlets they print saying what species and sizes are limited, and the bag limits.

Mr IAN COHEN: You as a fisher who is involved in recreational trout fishing, you are just doing it off the normal fishing licence?

Mr SCREEN: That is right, yes.

Mr IAN COHEN: Do you know what the fishing licence revenue is spent on? What would you like to see in terms of the direction and priority of expenditure that is derived from trout fishing licences being spent on in the fishing industry?

Mr SCREEN: I would cite some of the things we have already touched on this afternoon, such as access and signage, especially on private property through negotiated settlement with the landholders in the area, and riverside restoration. I also mention in my submission things like fencing off access to rivers by cattle or other forms of livestock. I know that might place an onerous burden on some of our poor old farmers, and I would be the last person in the world who would want to add to their costs, but maybe some of that money could go towards part funding of fencing programs or repairing fences.

Mr IAN COHEN: Get the cattle out of the creeks and take the watering troughs away?

Mr SCREEN: Or control the access.

Mr IAN COHEN: And have riparian rights.

Mr SCREEN: That might be one idea.

The Hon. CHRISTINE ROBERTSON: Have we not done that?

Mr IAN COHEN: It happens, but I am just wondering whether it happens in relation to the trout industry.

The Hon. CHRISTINE ROBERTSON: Some of these farmers are being told. Do you remember the exact figure? How big is it?

The Hon. TONY CATANZARITI: I do not know how large it is.

The Hon. CHRISTINE ROBERTSON: That is definitely out there and happening.

Mr SCREEN: I believe it is but, as you say, it is a massive job and the waterways in the State are vast anyway so it is not just the travel fisheries, it is native fisheries as well where the cattle can get into the rivers.

Mr IAN COHEN: Do the trout have any impact on the stream environment at all that you know of? Is what they eat and predate on and such like changing the balance of those streams?

Mr SCREEN: No, not from my experience. I think the trout will eat bugs and insects, particularly things like grasshoppers or moths or other flying or terrestrial borne life. They will eat little bugs and aquatic organisms in the water. They will eat their own kind; they will predate on themselves. Native fish as well, they will get them. But one of the points that I have made in my submission is that we have noted that where you find a healthy trout population you also find a very healthy population of the mountain galaxias—probably the native fish that we come across are from the mountains—frogs and other life forms like that, and where you do not find trout you do not find the other because the water is either silted up, or of a low quality or it is too warm.

Mr IAN COHEN: So you are saying that given the niche that is between it is not impacting on those native fish.

Mr SCREEN: I do not believe so but fish like carp, for example, destroy river systems. I think they are one of the major concerns that we should be looking at. I would be happy to see our moneys from our licence fees going to eradicate those. You see some of the fish in the rivers, particularly around the Tumut area. I was told to go and fish on one of the small creeks that flows into the Tumut River a couple of months ago. I had never been there and I got into there and I could see from the road a large fish and I thought, "My god, a brown trout that big, that's going to be fantastic to go for". I got there and it was a carp. It was about that big, that wide and about that high, and there were dozens of them swimming in water no deeper than that. And you get closer to the water and you see it is absolutely muddied up. There was no weed growth, no life whatsoever and these things are just foraging through the sand at the bottom of the river, just churning it all up, making an absolute mess of it.

Mr IAN COHEN: So carp, cattle, not trout, are impacting on water quality in these areas.

Mr SCREEN: I would say so, yes. Trout are just swimming around because they as a species need clean, clear fresh water.

Mr IAN COHEN: They are pretty voracious eaters, are they not?

Mr SCREEN: They are but pretty much in terms of their appetites many are pretty well confined to whatever is around at the time in abundance, and that is usually insect life, particularly grasshoppers at this time of the year or a bit earlier in summer time anyway.

CHAIR: On page 10 of your submission you make a number of suggestions on how to improve the effectiveness of the various recreational fishing bodies. Can you outline your arguments for increasing the effectiveness and transparency of these bodies? I take it that your club is a number of COFA, is it?

Mr SCREEN: No, we are a number of the New South Wales Council of Freshwater Anglers and the recreational fishing alliance.

CHAIR: COFA is the New South Wales Council of Freshwater Anglers.

Mr SCREEN: Is that what it is? I have never heard that before. Some of the things I have been told by some of my members is that the model that we should adopt is the one that was sponsored by the Shooters Party called the Game Council. That appears to be a very effective body representing the shooting groups in terms of a peak body that they can actually—

CHAIR: For the record, Mr Cohen, this is not a dorothy dixer. Are you familiar with the New Zealand Fish and Game Council?

Mr SCREEN: Fish and Game, I have a little bit of knowledge about that.

CHAIR: They operate in New Zealand, I guess, in the same manner the Game Council operates here but in fact the New Zealand Fish and Game Council is primarily a trout and salmon fishery management organisation; the ducks come second. A lot of the things you are talking about in relation to access are as a result of that representation from a fairly powerful lobby group. Do you feel that, for example, this question of trying to improve access to streams, as you have mentioned has occurred in Victoria, could best be achieved by your representative body talking, for example, to the various tourism bodies and the various local councils in those areas where trout are available?

Mr SCREEN: I think so. I think it would be a good start. I think as you have mentioned, fish and game, they also control the fishing licences as well, so it is more than just a lobby group. I think it is a quasi government department. They get some money from their department.

CHAIR: A statutory authority.

Mr SCREEN: Right. So that is what I think we should probably do here. That would be the best alternative. You have something that has a bit of clout and a bit of responsibility and also then the capacity to negotiate at that sort of level with landholders, with local chambers of commerce, local councils and also the fishing clubs and the other bodies that might hop on board.

CHAIR: Does each club have its own code of ethics and code of practice, or are they governed by your peak body?

Mr SCREEN: That is an interesting question. Our club has a charter which pretty much governs how the club is actually run and conducted. But also the unwritten law is that we pretty much catch and release. You ask permission of landholders before you go onto the property. We encourage people to report illegal fishing and things like that if they see it. Some of our members will even go into some of the national parks and actually pick up the rubbish and take it out with them if they come across any, because we do not want to see other access points closed or our areas restricted any further than what we have already got. So I think it is just an unwritten law within the club. I do not know what sort of power we would actually have to enforce something like that if we did bring in a code of conduct. How would you police it when members are out there without maybe a committee member being with them or someone else to watch? I do not know. I think those sorts of things are best governed by the law and the government department that is administering those sort of rules and regulations in terms of bag limits, fish sizes and things like that. I think that is probably the best way in which you can achieve those sort of outcomes.

CHAIR: On page 16 of your submission you state that the most important aspect of cold water fishing environments is water quality and quantity.

Mr SCREEN: That is correct.

CHAIR: Can you outline the factors you believe are impinging upon water quality and quantity, and how these could be rectified? For example, do you have a position as a group of fishermen conservationists on the flows in the Snowy River? Are there trout in the Snowy River or not?

Mr SCREEN: Absolutely. That is one of the premium areas in the State's fishery. It is hard to say what you put before the power generation and things like that for our peak load supplies; the need of the farmers downstream to irrigate their properties to produce food for us all versus having sufficient water in some of these rivers and streams to allow people to go fishing. It is one of those ones that has to be balanced very carefully. I know there is a lot of talk about environmental flows, particularly in the Snowy River itself, which I know suffers pretty badly between the Jindabyne Dam wall and Dalgety. After that, other rivers flow into the stream and the river starts to flow again. There are definitely water quality and water quantity problems in that area. That used to be a good fishery but it is not any more. The Murrumbidgee River below Tantangara Dam in the Kosciuszko National Park, went down there about a month and a half ago and for the second time in my life I have noticed that Snowy Hydro had turned the water off so all you could see was a bog. It was an absolute disgrace, we thought, that one of our premium and one of our most majestic rivers was reduced to that at its head.

CHAIR: That is at its head.

Mr SCREEN: Pretty much at its head. The head waters flow into the top end of Tantangara Dam and they probably start about 20 or 30 miles further upstream but to be at that location and to be in that sort of state, we could not believe it. Maybe they were doing maintenance work on the tunnels; I do not know. But to see it like that, it was just a bog. When the river does flow in that part of the area the siltation problems that are in that location are absolutely appalling. I have heard of people going almost up to their chest in fine mud before they hit the bottom. When you are in waders that is not a very safe practice to have. But I do note that National Parks, to their credit, have started to get rid of a lot of the willows in that part of the area and that part of the stream, which I think is a great credit to them. They chip away every now and then and they do some good, besides locking up the tracks every now and then on us, but I think sometimes it is necessary, considering the state of some of the tracks and how they have been treated by some of the people using four-wheel drives in that area. So we support in part most of the things that they have done, and sometimes we cannot fathom why they have closed certain tracks for no apparent reason.

CHAIR: We have heard from other witnesses in relation to coastal estuaries about the problem of contamination of the deoxygenated water contamination or acid sulphate soils and those sorts of things. Do those sorts of problems exist in the higher country where most of the trout are prevalent?

Mr SCREEN: Most of the water up in the high country is moving. It is going through rapids and falls and things so it is being oxygenated all the time. But where there is a lot of weed infestation like willow trees

and blackberry and the like that choke the river stream it slows down the water and the siltation builds up and they could form large pools that can become stagnant. You can actually smell sometimes the water quality. It is just not right and it has algae and all sorts of slime and muck and it does not look nice. That part of the Murrumbidgee River particularly, even when it is flowing and there is water coming out through it, there are large big pools that just seem to sit there and they do not look nice at all.

CHAIR: Are there any impacts particularly in the central highlands around Oberon of, say, monocultures such as pine plantations on streams?

Mr SCREEN: There are some, I know, around—is it the Hampton area where the Fish River and the Duckmaloi River converge in that part of the world? I do not normally go fishing up there but I know our members have reported siltation problems, in particular, rivers completely choked with blackberry. I mentioned the Cox's River in Hartley Valley too—that is another location that is absolutely choked with blackberry in certain locations. The water quality there is absolutely appalling but that is in part too because it is controlled further upstream from releases from Lake Lyell which is just near Lithgow. Above Lake Lyell you have got Lake Wallace which is at Wallerawang which controls the river flow between Lake Wallace and Lake Lyell which is in another part of the world where the Cox's River suffers pretty badly.

Above Lake Wallace where the Cox's River flows in—this is where it is pretty much controlled, it is subject to river flow based on rain fall—there is a lot of blackberry too. Where there is public access to these waters, you just cannot get in unless you have a machete or something like that or then you rely on some farmer's cattle wandering through the blackberries and making a pass for you and actually follow in behind them. There are some locations where that is the only way you can get to the river because the cattle are out and you can actually follow them down to the riverbank because they have actually eaten or trampled their way through the blackberry.

Mr IAN COHEN: In my understanding you say on page 12 of your submission that the Government actually closed down the Gaden fishery. Is that correct?

Mr SCREEN: There was an attempt to do that.

Mr IAN COHEN: What was the \$5,000 a year spent on? Was that a government contribution in keeping that hatchery going? Is it a Government hatchery? What were the costs to the public coming from the Government? I assume it is subsidised from fishing licences?

Mr SCREEN: From my understanding the hatchery was owned or operated by the Department of Fisheries, under the Department of Primary Industries, which I know has now changed its name. Our understanding was that the \$470,000 which is what we are referring to was in part to pay for the wages of the staff that were at that location. Now this facility is extremely important for trout anglers. It is the premier breeding hatchery in the State. It also supplies the Dutton hatchery to the north of the State which cannot really exist without the Gaden hatchery and it has been called on to support the Tasmanian industry when it has had problems with its fisheries there through disease or high water temperatures and fish kill as a result. They have supplied ova and fingerlings to them which, as you know, is a fairly large commercial operation in Tasmania. The Gaden hatchery has also supplied fish stock to Victoria and South Australia, I believe, as well.

Mr IAN COHEN: Was the hatchery self-supporting?

Mr SCREEN: I do not understand how the finances work down there. I would have thought, given the work that it does, that it would have been self-supporting. I suppose like any government department, how many government departments actually turn a profit? They are there to provide a service and that to me is a service.

Mr IAN COHEN: Sure but you describe it as a cost of such and such and then you are talking about a \$70 million industry.

Mr SCREEN: That is right, that is the economic worth.

Mr IAN COHEN: And now you are telling us about the fact that they are actually exporting fingerlings and over et cetera salmon and trout, I take it to Tasmania.

Mr SCREEN: On a needs basis.

Mr IAN COHEN: I am trying to understand the economics of that aspect of the industry and what the costs are.

Mr SCREEN: The hatchery itself, as I said, generates, you have mentioned before, the stocking of some rivers do receive stocking, so it is the tourism and the angling dollar that that brings into the local economy.

The Hon. CHRISTINE ROBERTSON: They are all government subsidised.

Mr SCREEN: From what I understand, an economic evaluation was undertaken in around about 2000 or 2001 which suggested that the angling dollar in the Snowy Mountains area generated about \$70 million annually. Now that obviously is not all through fishing but you have got accommodation, petrol, stock and all those sorts of things you need to purchase to do that. I have heard stories or figures that the State trout dollar was worth about \$100 million a year to the State's economy. I know in New Zealand it is worth about \$NZ700 million to its industry every year, just fly fishing dollar. So it is a significant boost to your economy, particularly the smaller economies in the Snowy Mountains that rely heavily on that dollar. If the State Government at an investment of say, \$470,000 a year helped prop up a \$100 million a year industry, I would not mind buying shares in that business if I got that sort of return back on my investment.

Mr IAN COHEN: Do you know where the \$470,000 came from?

Mr SCREEN: I do not know.

Mr IAN COHEN: Is it out of Consolidated Revenue?

Mr SCREEN: It may have been.

Mr IAN COHEN: Did it come from fishing licences?

Mr SCREEN: At that point in time I do not think it was but it is now.

Mr IAN COHEN: Do you say there was a threat but it has remained open and it is still functioning?

Mr SCREEN: That is right. I do not know how good is the guarantee that it remains open but they said "foreseeable future" for whatever that is worth the hatchery will remain open and I believe the other hatcheries as well. I also believe that the angling dollar also helps to keep open the fresh water fishing hatcheries too. I think they are out at Condobolin or somewhere like that.

CHAIR: Narrandera.

Mr SCREEN: Which we fully support as well.

CHAIR: I ask that along with any questions that you took on notice during the evidence would you agree to receive additional written question from the members of the Committee that they may not have had an opportunity to ask you today?

Mr SCREEN: I will be more than happy to do so.

CHAIR: If so, would you return your replies within 21 days of having received those questions?

Mr SCREEN: Absolutely.

(The witness withdrew)

(The Committee adjourned at 4.55 p.m.)