

Advisory Council on Recreational Fishing

**Outcomes from Meeting 52 – Tuesday 15 February 2011
Cronulla Fisheries Research Centre of Excellence**

Attendance

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| Bruce Schumacher | Chairperson |
| John Drew | Estuary Fishing |
| Claudette Rechterik | Conservation |
| Max Castle | Estuary Fishing |
| Adrian Wayne | Underwater Fishing |
| Ronald Croker | Freshwater Fishing |
| Sanchia Glaskin | Offshore Fishing |
| Charles Howe | Estuary & Offshore Fishing |
| Kevin McKinnon | Freshwater Fishing |
| John Clarke | Offshore Fishing |
| John Humphries | Freshwater Fishing |
| Ann Garard | Charter Boat Fishing |
| Janette McLeod | Estuary Fishing |
| Peter Turnell | Director, Fisheries Resource Management |

Apologies

Alistair McGlashan (Offshore Fishing & Media), Sylvia Zukowski (Freshwater Fishing and Ecology Research) and Shane Jasprizza (Estuary Fishing).

Absent

Neil Ryan (Recreational Fishing Media)

Stakeholder Forum (closed session)

The Chairperson requested I&I NSW staff to leave the meeting to enable a closed stakeholder session to be held. Following the closed session, the Chairperson advised the following recommendations had been made by Council:

- i) Consultation – Council requested that outcomes from meetings should be released to members and placed on the I&I NSW website as soon as possible after the meeting to enable Council members to discuss policy issues and recommendations from the meeting with recreational fishing constituents. The department advised it will endeavour to provide the draft meeting outcomes to council members within one to two weeks after each meeting.
- ii) Streamline the consultation process – the council suggested that RFSTEC and RFFTEC be dissolved and ACoRF be the only consultative body to provide recommendations on all NSW recreational fishing policy and trust expenditure issues to the Minister. It was noted that to act effectively in this role, the council would require regional representation.
- iii) Review of consultative processes – members noted that a recommendation in the Select Committee on Recreational Fishing Inquiry report was that the NSW Government undertake a review of the structure, membership and operation of ACoRF. Council requested involvement in any such review. The department advised that the NSW Government would

be responding to the report recommendations and I&I NSW would keep the council informed of developments.

iv) Independent NSW recreational fishing lobby group - council members expressed in-principle support for the establishment of an independent (i.e. NGO) recreational fishing lobby group in NSW. To ensure its independence, the group or organisation should not be funded by Government but rather from within industry.

v) Distribution of information to stakeholders - the council raised concerns about the additional need for information to be distributed directly to recreational fishers. Council members suggested the 'Newscast' newsletter could be distributed to NSW recreational fishing fee receipt/licence holders by email. Council members also suggested the department investigate the possibility of establishing a register of exempt fishers and the possibility of issuing 'free' receipts/licences to eligible persons to provide better information about the number of recreational fishers and fishing activities in NSW and assist consultation and fisheries compliance efforts.

vi) ACoRF's function - the council discussed a recent negative media publication that suggested ACoRF is not fulfilling its role and has become ineffective. Council members noted that its legislative requirement is to advise the Minister on recreational fishing matters and any other matters considered relevant to the recreational fishing sector. Members agreed that pursuant to this legislative requirement the council is acting effectively and appropriately.

Recreational Fishing Update

a) New fishing arrangements at Fish Rock & Green Island

Bill Talbot, Director Fisheries Conservation and Aquaculture, I&I NSW, attended the meeting to discuss the new recreational fishing arrangements at Fish Rock and Green Island. Mr Talbot advised the council that the purpose of the new fishing arrangements is to increase protection for the critically endangered grey nurse sharks.

The council noted the new arrangements prohibit line fishing methods by recreational anglers other than spinning and trolling with an artificial fly or lure within 500 m of specified coordinates at Fish Rock and Green Island. The use of burley has also been prohibited within this area. The department advised that an advisory period has commenced and will continue until after the Easter period (30 April 2011).

The council re-iterated its position on a number of issues, including the potential use of circle and barbless hooks, as well as live baits, in the 500m zone. It was acknowledged the new arrangements do not affect beach and rock fishing from land between Gap Beach and Smoky Cape near Green Island, or spearfishing and recreational spanner crab trapping. It was also noted that a separate line fishing closure applies to commercial fishing activities in the area.

Members expressed concern about the Trust funded research being used to restrict recreational fishing.

It was acknowledged that the project titled: 'The behavioural response of Grey Nurse Sharks to recreational lures and baited lines' was initially proposed by Council in 2007. The research was designed by I&I NSW to provide more detailed information on Grey Nurse Shark behaviour in response to recreational fishing methods.

However, it is important to note that this research project, was not a primary driver of the review of management arrangements at Fish Rock and Green Island. Rather, it is one piece of information of relevance considered during the process and was instrumental in retaining access for spinning and trolling activities. Other information relevant to the review included:

1) The Administrative Appeals Tribunal (AAT) case in 2007 resulted in a comprehensive site by site review of GNS sites and Ocean Trap and Line commercial fishery interactions. Justice Downes recognised more needed to be done to protect GNS and that further closures were required. However, the Commonwealth and the AAT did not have authority to impose restrictions over recreational fishing, resulting in partial closures to the commercial sector in 2008 but no change to recreational fishing methods.

2) Recent research has shown the population of GNS likely to be less than 1500 (DSEWPC), and the species has been upgraded to critically endangered at State and National level.

3) The publication of the paper by Bansemer & Bennett - Retained fishing gear and associated injuries in the east Australian grey nurse sharks (*Carcharias taurus*): implications for population recovery (Marine & Freshwater Research 2010, 61, 97-103) increased concerns about gear interaction, specifically at Fish Rock. Research commissioned by DSEWPC has also highlighted the significance of Fish Rock in terms of GNS occupancy and utilisation.

4) The lack of consistency in GNS protection measures and the apparent lack of effective protection at Fish Rock has been recognised through the review of the national GNS recovery plan. Mitigating the impact of hook and line fishing is a primary focus of State and National recovery efforts as it is the largest known source of human induced mortality.

b) Proposed additional Fish Aggregating Device (FAD) in the South West Rocks region

The council was advised that the department is proposing to deploy an additional FAD east of Fish Rock, commencing 2011/12, to provide improved recreational fishing opportunities in the area. The department will undertake consultation with local fishers to determine a suitable FAD location.

c) Freshwater Management

I&I NSW provided a freshwater fisheries management update. It was noted that very high rainfall has resulted in the flooding of most rivers, dams and impoundments in the western region. In some of the major western rivers these floods have resulted in 'Blackwater' events (rapidly reduced dissolved oxygen level) and subsequent fish kills. The department confirmed this is a natural occurrence as a result of flooding and little can be done to alleviate the impacts of these events.

The department is continuing to use calcein marking to investigate survival rates of stocked fish. Calcein marking is a non-lethal method to mark fish, however, following reports of mortalities of calcein marked fish at some independent hatcheries, all calcein marking will be carried out by I&I NSW hatchery staff.

The council was advised that I&I NSW was working with the Lower Murray Darling Catchment Management Authority (LMDCMA) regarding the Authority's proposal to stock the Murray River. Council also noted the Authority had proposed creation of a "freshwater park", which Council did not support.

The Council was pleased to note the Narrandera Fisheries Centre received an Australia Day award for the Narrandera Fisheries Centre Open Day in October 2010.

d) I&I NSW FAD buoy - Trial Bay, South West Rocks

The department advised that negotiations with NSW Maritime should result in a FAD buoy being re-deployed at the Trial Bay bait grounds in the near future. The buoy will remain in place year round. No mooring will be permitted to the FAD buoy.

e) New zoning plans for Solitary Islands and Jervis Bay Marine Park

The department provided the council with an overview of the new Solitary Island and Jervis Bay Marine Park zoning plans. The council expressed concern that the new zoning plans still included a number of curved sanctuary zone boundaries (mainly due to the curved NSW state waters jurisdiction line 3nm from the coast). The council also expressed disappointment that no change was made to the Lord Howe Island Marine Park zoning plan with regard to spearfishing and that the activity will remain prohibited.

The council requested the department advise NSW Marine Parks Authority to consider all historical ACoRF submissions during any future marine park zoning plan review.

f) Draft Ministerial Order for Southern Bluefin Tuna

The department provided an update on the management of Southern Bluefin Tuna (SBT) in NSW. The species is currently listed as endangered in NSW waters (within 3nm). The council noted that a Ministerial Order (MO) is currently being drafted that will include a number of recommended management responses previously discussed by ACoRF. The department advised that the MO is likely to include a recreational bag limit of 1 and boat limit of 2, to ensure continued access to the species for recreational fishers. Once the Draft Ministerial Order has been prepared the department will undertake a Species Impact Statement (SIS). The SIS and draft MO will then be released for public consultation.

Motion: The council recognises the current status of SBT but reiterated its position that it does not support recreational boat limits. **Moved:** Ann Garard. Seconded: Sanchia Glaskin. **Carried.**

g) Eastern Tuna and Billfish Fishery Management Plan and Total Allowable Commercial Catch (TACC) determination

The department provided an update on the Eastern Tuna and Billfish Fishery (ETBF) Management Plan and TACC determination. The council noted the department's submission relating to the draft ETBF management plan, including the proposed TACC for various species within the fishery. The department advised that AFMA had recently announced that the ETBF TACCs had been reduced for Bigeye Tuna from 2,000t to 1,056t, Yellowfin Tuna from 2,600t to 2,200t, Striped Marlin from 400t to 390t and Albacore from 3000t to 2500t.

Other Business

a) Pipi Management

The department provided an update on the management of the commercial pipi harvesting component of the Estuary General fishery. The council was advised that the department is consulting with key stakeholders on a range of management responses, including the proposed implementation of an immediate closure on the commercial harvest of pipis until 1 June 2011 and introduction of a commercial fishing minimum size limit of 40mm (pipis reach sexual maturity at approximately 29mm). The department will establish a resource planning group to enable key stakeholders to examine the feasibility of alternative management arrangements and research requirements. It was confirmed that the status of the pipi resource in NSW would be the primary consideration prior to altering any harvesting restrictions.

b) Meroo National Park

The council noted recent concerns by recreational fishers on the south coast regarding access to Meroo Lake following the release of the Meroo National Park Plan of Management.

Motion: The council write to the NSW Maritime Authority to advise of recreational fishing and boating concerns relating to the Plan and request retention of provisions that allow powered crafts in Meroo Lake. **Moved:** Max Castle. Seconded; John Humphries. **Carried.**

c) Minimum size limit for cobia

The department confirmed the recreational bag limit for cobia was reduced from 20 to 5 on 1 September 2010 and that the size limit would be addressed as part of the upcoming review

of fishing rules. The Chair encouraged the department to allocate resources to expedite the review due to the significance and complexity of the process.

Correspondence

The council noted the correspondence received and sent. The Chair made particular reference to the letter sent to Dr Patrick Hone, Executive Director, Fisheries Research and Development Corporation (FRDC), regarding the council's concerns about the outcomes of the NSW Fisheries Research Advisory Board meeting on 7 December 2010. Mr Schumacher advised that he had since contacted Mr John Wilson from FRDC to reiterate that ACoRF and the Trust Expenditure Committees consider the Murray Cod and Pipi projects as high priority and strongly recommended that FRDC approve joint funding for these projects.

Next Meeting

The next meeting (ACoRF 53) is scheduled for Tuesday 17 May 2011.