

**Advisory Council on Recreational Fishing  
Outcomes - Meeting 39, 28 September 2006**

**Apologies**

Mel Brown (Adrian Wayne attended on Mr Brown's behalf), Anthony Moore (Megan Kessler attended on Mr Moore's behalf), Jim Harnwell and Ann Lee. Otto Volz and Steven Scott were absent from the meeting. Dr Nick Otway sent his apologies for not being able to attend the meeting.

***Motion:***

The Council write to Dr Otway (cc Minister Macdonald) to formally request his attendance at the next meeting (scheduled for Thursday 14 December 2006 at Port Stephens).

**Moved:** John Clarke. **Seconded:** Elaine Garvey. **Carried.**

**Action item**

Write to Dr Otway regarding his attendance at the next ACoRF meeting.

**Confirmation of minutes from previous ACoRF meeting**

The Council accepted the outcomes as a true and accurate record of discussions from the 38<sup>th</sup> ACoRF meeting, held 29 June 2006. **Moved:** Elaine Garvey. **Seconded:** Ann Garard. **Carried**

**Business arising from the minutes**

Nil.

**1. Recreational Fishing Trust expenditure**

***Motion:***

The Council supported the large grants expenditure recommendations from the Recreational Fishing Saltwater Trust Expenditure Committee, as outlined in Table 1.

**Moved:** Ann Garard. **Seconded:** Elaine Garvey. **Carried.**

***Motion:***

The Council supported the small grants expenditure recommendations from the Recreational Fishing Saltwater Trust Expenditure Committee, as outlined in Table 1.

**Moved:** Neil Ryan. **Seconded:** John Dunphy. **Carried.**

***Motion:***

The Council supported the small grants expenditure recommendation from the Recreational Fishing Freshwater Trust Expenditure Committee, as outlined in Table 2. **Moved:** Terry Maloney. **Seconded:** Ann Garard. **Carried.**

Table 1: RFSTEC expenditure recommendations

<b>Large Grants details</b>	<b>Applicant</b>	<b>2006/07</b>
Recreational fishing fee administration – top up funds to reach the 10% of fee revenue allocation	NSW DPI	\$80,000 \$56,000 (SW Trust) \$24,000 (FW Trust)
Recreational fishing surveys in Hawkesbury Shelf Bioregion (additional funding) - preliminary funding of \$339,000 in 2006/07 and \$355,500 in 2007/08 previously approved by ACoRF.	NSW DPI	\$51,000 (2006/07) \$109,500 (2007/08) \$350,000 (2008/09)
<b>Small Grants details</b>		
Rock Fishing Safety DVD – production and distribution of 1,500 DVDs to the general public	Recreational Fishing Alliance of NSW	\$3,135
Darawank Fishing Platform – additional funding for completion of project.	Great Lakes Council	\$1,875
Do artificial reefs provide similar CPUE to anglers when compared to natural reefs in Lake Macquarie, NSW? – involves catch surveys on natural and artificial reefs in Lake Macquarie.	Newcastle University	\$5,280

Table 2: RFFTEC expenditure recommendations

<b>Small Grant details</b>	<b>Applicant</b>	<b>2006/07</b>
Stabilisation of the banks of the Manilla River around the hatchery pump site of the Manilla Fishing Club Hatchery	Manilla Fishing Club	\$5,000

## 2. Recreational Fisheries Management issues

- *Review of Bag and Size limits*

The Department advised that new saltwater and freshwater recreational fishing rules could be brought in in early 2007. The Council requested clarification on reasons for the delay, which is predominantly related to the reclassification of trout waters (i.e. freshwater issues).

**Motion:**

The Council write to the Minister to request that changes to the saltwater rules be expedited. **Moved:** John Dunphy. **Seconded:** Ann Garard. **Carried.**

- *Licence tender process update*

The Council was advised that approximately 90% of NSW fishing licences are sold through official licence agents. The proposed process would enable people who purchase a 3 year licence through an agent to be issued a plastic licence if the holder sends the paper licence to the Department. The proposed licence would be a full colour card (both sides), include personal details on 1 side, a signature panel and lamination after personalisation.

The Department advised that the estimated cost per unit (including stock/postage/plastic licence), based on 50,000-75,000 licence sales, would be \$3.23-\$3.26 per licence. It was also confirmed that a new database management system would be required to cater for the updated process. With regards to payment options, Australia Post (Post BillPay available through 1700 outlets) and Bill Express (through 1500 newsagents) requires a barcoded licence identifier, which would be achievable with the new database system.

As a result, it is envisaged that administration costs may rise from 10% to 12-13%, primarily to cater for increased costs associated with providing a plastic licence to 3 year licence holders.

**Motion:**

The Council supported the proposed process, including the implementation of enhancements for the recreational fishing fee administration system. **Moved:** Neil Ryan. **Seconded:** Terry Maloney. **Carried.**

- *Proposed (\$3.2 million) buyout of commercial fishing effort in the Shoalhaven and Manning Rivers (Region 3 and 6 Estuary General Fishery activities)*

The Council discussed that the proposed buyout will not directly benefit recreational fishers, as no new Recreational Fishing Havens would be created following the process, therefore, consideration should be given to re-allocate funds to other projects that would provide more direct benefits. Possible options include: development of a Fisheries Management Strategy and Environmental Impact Statement for recreational fishing activities and marine stocking in NSW; and investigation of Artificial Reefs in offshore waters.

**Motion:**

The Council requested the Department develop budget estimates for the proposed projects, if funds are re-allocated. **Moved:** Elaine Garvey. **Seconded:** Ann Garard. **Carried.**

- *Proposed listing of Gemfish by the Fisheries Scientific Committee (FSC) as an endangered species*

The Department confirmed that the Wild Harvest Fisheries Branch was providing the FSC with a submission that includes a number of reasons why the proposed listing is not supported. However, if Gemfish is listed as an endangered species, the FSC was advised

that a Ministerial order or interim order (i.e. similar to the order for southern bluefin tuna) would need to be made under Subdivision 1A of Division 6 of the *Fisheries Management Act 1994* to enable NSW fishers to be able to continue to legally take them.

- *Expression of Interest for expiry of various recreational fishing representative terms on councils and committees*

Applications close 24 November 2006. For information.

#### **Action item**

Send ACoRF, RFSTEC and RFFTEC members a copy of the EoI advertisement.

- *Status of hatcheries operated by NSW DPI*

Regarding the rumoured sale of the Department of Primary Industries' (DPI) Dutton Trout Hatchery at Ebor, the Department confirmed there is no plan to sell hatcheries. The Chair stated that he had received a letter from the Minister, assuring the Council that he is committed to retaining the Dutton Trout Hatchery as a government owned and operated facility.

- *Upper Lane Cove River (Lane Cove National Park) – catch and release*

Discussion on this issue was deferred to the next meeting.

- *Proposed recreational only fishing areas*

Jim Harnwell requested the Council's consideration of a proposal to allocate some recreational fishing only Artificial Reefs and Fish Aggregating Devices in estuary systems, as well as inshore and offshore ocean waters, to alleviate the loss of fishing grounds because of the imposition of sanctuary zones and provide alternate quality recreational opportunities. Mr Harnwell was unable to attend the meeting, therefore it was agreed to defer consideration of this issue to the next meeting.

### **3. Freshwater Fishing issues**

- *2006/07 Inland Stocking Plan*

The Council was advised that stocking will be delayed in areas where there is very little/not enough water to stock successfully. The Council agreed with this decision.

- *Review of inland/freshwater fishing closures*

Information relating to the review of freshwater fishing closures was distributed to members at the meeting. The Department proposes to address/update all closures at the one time and requested the Council's consideration of the issues, as outlined in the information distributed.

#### ***Motion:***

The Council provided in principle support for the review of freshwater fishing closures.

**Moved:** Elaine Garvey. **Seconded:** Neil Ryan. **Carried.**

#### **Action item**

Freshwater Management to provide further information (if necessary) for out of session consideration by the Council.

- *Travelling Stock Routes (TSR) – Access to rivers*

The Council was advised that the Meroo National Park Draft Plan of Management (which includes Meroo Lake - a Recreational Fishing Haven) proposes restrictions to access for anglers. It is proposed that the TSR/access program be expanded into saltwater areas, due to the success of the work done by Alistair McBurnie for inland waters. A funding proposal will be presented to RFSTEC at the 2007/08 budget meeting for consideration.

- *Update on the Snowy Lakes Strategy*

The Government has been working with the local community to develop and refine the Snowy Lakes Trout Strategy to ensure that the area remains a premier trout fishery. The prolonged drought has had a significant impact on fish stocks and stocking opportunities/survival. Development of the strategy is ongoing.

#### **4. Estimating and maximizing the post-release survival of key angler-caught fish in NSW**

Copies of the research outputs from phase 1 of the study (including scientific papers, journal and magazine articles) were distributed to the Council for information. Phase 2 of the study, which is planned to run for 3 years, commenced earlier this year. The Council acknowledged the high quality research being conducted on post-release survival of key angler-caught fish by NSW DPI.

The Council was also advised of a proposal to study Grey Nurse Shark interactions using different fishing gear types (e.g. lures and baits) to minimise captures.

#### **5. Development of Share Management Plans**

The Council was provided with a brief overview of the Share Management Plan process and advised that consultation/submissions close on 3 November 2006. Members will be sent copies of the relevant information in the next few days. It was confirmed that RFHs could still be created under the Share Management Plan framework (subject to Ministerial approval), as a regulation amendment clause had been included in the draft plans/regulation.

##### ***Motion:***

The Council supported the formation of an ACoRF Sub-Committee, with DPI support as required, to consider and address Share Management Plan issues. Bruce Schumacher, John Dunphy and Neil Ryan were nominated for the sub-committee. **Moved:** Ann Garard. **Seconded:** Terry Maloney. **Carried.**

#### **6. Closure renewals**

The Council unanimously supported the renewal of the following closures, for a period of 5 years, in their current form:

- Doon Doon Creek - expires 10 December 2006;
- Wallis Lake and tributaries and ocean waters (Forster) - expires 30 November 2006.
- Smiths Lake - expires 30 November 2006; and

The Council unanimously supported the renewal of the following closure, for a period of 1 year, in its current form:

- Tilligerry Creek – expired 26 August 2006 (renewed)

This closure restricts the recreational harvest of shellfish (all species of shellfish, including but not limited to oysters, cockles, crabs, prawns, worms, limpets, sea urchins and lobsters) in the creek, to protect human health. The NSW Food Authority confirmed that health concerns are still an issue in the creek and that planned remediation work had not yet been completed.

- Narrawallee Creek – this closure expires on 27 December 2006. The creek became a Recreational Fishing Haven since it was last renewed, therefore, it will be investigated as to whether this closure is necessary.

### **Action item**

Recreational Management to investigate rationale for the initial closure in Narrawallee Creek and advise Closures staff if renewal is required.

## **7. Australian Communications and Media Authority – protection of submarine cables (Mark Dossetor/Chris Boland - ACMA)**

Mark Dossetor provided an overview of the protection zone process and outlined the proposed prohibitions/restrictions that may specifically apply to recreational fishing, which are:

- potting/trapping may not be carried out beyond 500 m from shore;
- when demersal line fishing beyond 500 m from shore, fishers will not be permitted to use wire line, or to use J-hooks above 4/0 (circle hooks of any size can be used);
- anchoring is not permitted beyond 500 m from shore, except around The Peak and the SS Duckenfield (an historic wreck);
- installing a fish aggregating device is prohibited;

There are no restrictions planned for any pelagic or midwater fishing activities.

The main concerns raised by the Council were:

- Recreational fishing at the Peak - ACoRF members expressed concern that the concession zone around the peak (200 metre radius proposed) is not large enough to cover both the north and south peaks, which are approximately 300 metres apart. Therefore, the Council requested that ACMA consider increasing the concession zone around the Peak.
- Use of J-hooks above size 4/0 - it was stated that anglers need to/currently use hooks larger than 4/0 and requested further consideration of the maximum size of J-hooks that could be used in the protection zones.
- The other issue raised is the location of 1 existing NSW DPI Fish Aggregating Device is within the proposed southern protection zone (Southern Cross cable). However, ACoRF/DPI agree that a minor change to the current location is acceptable (subject to appropriate approval from the Department of the Environment and Heritage - DEH) in order to move the FAD outside the protection zone.

It was noted that Bruce Schumacher, NSW recreational fishing representative on the ACMA advisory committee, would take these issues to the committee for further consideration.

### **Out of session items**

- Bouddi National Park closure renewal

#### ***Motion:***

The Council confirmed its out of session support for the renewal of this closure, but requested clarification of the ongoing necessity for this particular closure.

Moved: Neil Ryan. Seconded: Terry Maloney. **Carried.**

### **Other Business**

- Marine Park update

Andrew Read, Manager Marine Protected Areas, attended the meeting to provide a brief update on Marine Park issues. It was confirmed that the Port Stephens-Great Lakes Marine Park Advisory Committee is meeting on 5 and 6 October 2006 to finalise the zoning plan for the park.

The Council was advised that it was proposed to preclude recreational fishers from being able to take abalone in special purpose zones due primarily to compliance reasons i.e. to minimise access in those areas.

Bruce Schumacher and John Clarke were nominated by the Council to attend the Marine Park Authority seminar in Brisbane in early November.

- Report on comments from a meeting of south coast Charter Fishing Boat Operators regarding draft zoning proposals for the Batemans Marine Park.

Information noted.

- Request for nomination of proxy recreational fishing representative on the NSW Fisheries Research Advisory Body (FRAB). Mr John Clarke was nominated by the Council to be Mr Bruce Schumacher's proxy on the FRAB, when required.

#### **Action item**

Recreational Management to write to the Executive Officer of the NSW FRAB to advise of the Council's nomination of Mr Clarke.

*Completed.*

#### **Correspondence received**

- Proposal to ban the taking of female crabs in NSW, for the Council's consideration and recommendation.

The Council did not support this proposal. It was confirmed that this issue had been formally considered/not supported by the Council on a number of occasions in the past.

#### **Action item**

The Department write to the proponent to advise of the Council's position on this issue.

- Letter to the Chair of ACoRF from Mr David Cranwell, spokesperson for the Tweed Fishing Clubs Association and EcoFishers Tweed Branch, regarding constraint on four-wheel drive access on beaches adjacent to coastal nature reserves on the far north coast, for the Council's consideration and recommendation.

The Council supported the continuation of four-wheel drive access adjacent to coastal nature reserves on the far north coast.

#### **Action item**

The Chair write to Mr Cranwell (Tweed Fishing Clubs Association and EcoFishers Tweed Branch) to provide the Council's support for continued four-wheel drive access on these beaches.

- Letter from Mr Graham Roche, Bega Valley Council, to the Minister (on behalf of a local resident) requesting spearfishing restrictions between Tathra Wharf and Tathra surf club at Shelly Beach reef, Tathra.

The Council did not support this proposal and expressed some concern regarding the frequency and ongoing nature of spearfishing bans proposed by members of the public.

#### **Action item**

The Chair write to the Minister to advise of the Council's position on this issue.

- Letter to the Minister from the Australian Workers Union regarding a proposal to allow prawn hauling in part of the Manning River Recreational Fishing Haven, for the

purposes of a study to prove whether or not commercial fishing has a detrimental effect on fish stocks.

The Council did not support this proposal.

**Action item**

The Minister write to the Australian Workers Union to advise of the Council's position. Ministerial response prepared (MF06/3290).

- Letter to the Minister from the Commercial Fishermen's Co-operative regarding reviews of Recreational Fishing Havens in NSW.

The Council did not support any proposal to review existing Recreational Fishing Havens in NSW.

**Action item**

The Chair write to the Minister to advise of the Council's position on this issue.

- Letter from the Hon. Ian Macdonald MLC regarding his address to the 2006 NSW Farmers' Association Annual Conference, for information.

Information noted.

- Copy of notice from Ms Nicola Johnstone, Manager, Solitary Islands Marine Park, regarding updated management arrangements for the Pimpernel Rock Sanctuary Zone, for information.

Information noted.

- Response from Mr Jim Harnwell to the Nature Conservation Council regarding its press release of 26 September, titled "Marine sanctuaries the only refuge for the one that got away." The Council supported Mr Harnwell's comments and expressed strong disappointment to the Council's NCC representative and author of the press release, Megan Kessler, regarding the content of the release.
- Request to distribute a copy of previous correspondence between the Chair and the Minister relating to wobbegong sharks and commercial drop lining activities to Council members.

**Next meeting**

ACoRF meeting 40 (04/2006) is scheduled for Thursday 14 December 2006 at Port Stephens.