



**NSW Advisory Council on
Recreational Fishing**

FINAL MINUTES

**20th MEETING
9:30am, 15 November, 2001**

**Conference Room, Cronulla Fisheries Centre
202 Nicholson Parade, Cronulla**

Attendance

Chair

Bruce Schumacher

Members

Elaine Garvey

Peter Goadby

Mark Umbers

Lionel Jones

Pat Wade (Deputising for Robert Cooper)

Lisa Terry

Terry Maloney

Mel Brown

Graham Moore

Ann Lee

Margaret Dodson

Steve Dunn, Director of Fisheries

NSW Fisheries (observers)

John Diplock, Principal Manager Recreational Fisheries

Vera Fiala, Manager Communications

John Naughton, Supervising Fisheries Officer, Sydney North

Nick James, Manager Recreational Fisheries

Claudia Jordan, A/ Manager Recreational Fisheries

John Spyrakis, Fisheries Management Officer, Recreational Fisheries

Business

Welcome by Chair

Apologies

Steve Dunn, Director of Fisheries

Scott Mitchell

Robert Cooper

Anthony Moore

Minutes of previous meeting

The minutes of the 19th meeting, held 27 September 2001 were confirmed.

Business arising from the minutes

Nil

Agenda Items

1. Director's report
2. Communications update
3. Proposed amendment to prescribed quantity of crustaceans
4. Evans River spearfishing closure proposal
5. Freshwater Review update
6. Recommendations from 3rd RFSTEC meeting.
 - (a) Support for the \$20 million for buy-outs
 - (b) Recreational Fishing Areas proposals
Regions 2, 3, 4, 8 and 1
 - (c) Other trust fund expenditure
7. Policies for expenditure from the recreational trust funds
8. Marine Park Proposals
 - (a) Jervis Bay
 - (b) Byron Bay
9. Other Business
 - (a) Marine Parks Authority response
 - (b) Removal of Native Finfish from a drying lake

Next meeting

Monday 21 January 2002 – Following Joint Advisory Committee (EPT) meeting.

Agenda Item 1

Director

Issue

Director's report

Discussion

There was no Director's report.

Recommendation

Issue

Communications update

Discussion

Vera Fiala thanked ACoRF for their support to communications programs.

Fishcare Volunteer Program (FVP)

Recruitment for State Coordinator and 5 Education Officers (EO) already commenced. Their responsibilities will include expansion of the FVP, Fishing Clinics and coordinating school education programs. The EOs will be regionally based at Coffs Harbour, Wollstonecraft and Batemans Bay for saltwater, and Tamworth and Albury for freshwater. These locations are based on the expected number of volunteers and availability of NSW Fisheries office accommodation.

Training dates for new Volunteers:

10/11 November – Botany Bay (20 volunteers recruited and trained, 4 of whom are from non-English speaking backgrounds)

24/25 November – Port Stephens

1/ 2 December – Dubbo

8/9 December – Lake Macquarie

15/16 December – Port Macquarie

There are currently 72 established volunteers with 65 actively participating. This is a high activity rate compared to other states. NSW Fisheries is currently looking at opportunities for indigenous people to participate in the FVP.

Each EO will train 50 – 100 volunteers. There are currently 200 nominations for saltwater volunteers. It is envisaged there will be approximately 400 statewide volunteers by the end of 2002. The expansion of the program will be carefully monitored to ensure it meets its objectives.

Communication tools update

- Advisory trailers: current quote at \$20,000 – \$25,000 per trailer
- Fishing Clinics: Two planned at Dutton, two at Gaden, 1 at Narrandera and other various locations.
- Recreational fishing publications: Communications Branch currently producing fishing guides for various areas.
- Saltwater guides: Investigating advertising for the brochures to leverage trust funding. These saltwater guides will not replace existing saltwater bag and size limit brochure. New saltwater guides to be available through Fisheries Offices, agents and tackle shops.
- Saltwater bag and size limit brochure: 250,000 print run. Branch will investigate costing of black and white brochure as a cost saving measure.

General Recreational Fishing Licence Promotion (multi-pronged approach)

- Print materials: GRFL is highlighted in all local fishing guides. Investigating the production of wallet cards and stickers.
- Website information and links are regularly updated.
- Regular media releases on GRFL and trust funded programs.

- GRFL prize draw 21 November 2001
- Billboards: 7 or 8 billboards across NSW targeting interstate visitors will be installed.

Council members raised the issue of defining 'fishing', particularly with reference to the liability of non-fishing members of a boat where someone else is fishing. NSW Fisheries explained that Fisheries Officers use the definition of 'fishing' as detailed in the Act, but have broad discretion and apply a common sense approach.

The Indigenous representative asked what mechanisms were being used to communicate with Aboriginal people. The Non-English Speaking Background (NESB) communication strategy is currently being finalised, however it could be expanded to include Indigenous people.

Action Item. Graham Moore and Vera Fiala to investigate ways to improve communication with Aboriginal people.

Action Item

NSW Fisheries to circulate the definition of 'fishing' as found in the Act to ACoRF members.

Recommendation

The Communication Branch presentation was noted.

Issue Proposed amendment to the prescribed quantity of crustaceans (yabbies and shrimp only) to which records must be kept by a retailer, from 3 kg to 200 individuals

Background

A number of recreational fishing tackle stores within inland NSW stock and supply live yabby bait for sale to recreational fishers.

Under section 224 of *the Fisheries Management (General) Regulations 1995* a retailer is required to keep prescribed records for quantities of crustaceans of more than 3kg obtained from suppliers. The majority of these retailers exceed this quantity of yabbies over the summer recreational fishing period. Most of these outlets are currently unable to provide proof of purchase for these yabbies. It is alleged that some outlets are likely to have been supplied by black market traders.

At present the only legal avenue for a retailer to purchase such quantities of yabbies is through an endorsed inland commercial fisher, licensed aquaculture farm or a licensed Victorian bait fisher. A yabby bait licence or permit authorising the take and supply of yabbies for bait to retail markets presently does not exist in Inland NSW.

The majority of inland commercial fishers are situated in the Far Western Region of the State, and primarily supply yabbies for human consumption markets.

The recreational live yabby bait market is a legitimate market and mechanisms for supply are currently being considered. NSW Fisheries is currently in the process of developing an Options Paper on the supply of bait yabbies to the recreational retail sector.

At the recent Inland Management Advisory Committee meeting held on the 12th and 13th of September 2001 the committee recommended that an amendment be made to the *Fisheries Management (General) Regulations 1995* on the prescribed quantity of crustaceans to which records must be kept by a retailer from 3 kg total weight, to 200 individual yabbies.

If approved this amendment would need to specify yabbies and shrimp only as the present regulation pertains to all species of crustaceans including lobster.

This amendment will improve compliance inspections of outlets by enabling Fisheries Officers to count crustaceans rather than having to remove and weigh them, effectively reducing handling. Bait size yabbies are generally small; therefore 3kg may comprise of well over 500 individuals. This will also align the recreational bag limit with the prescribed quantity.

Discussion

NSW Fisheries explained that the proposal is amend the regulations to require a bait vendor who has more than a prescribed number (200) of yabbies to produce records certifying that they were legally obtained. At present the regulations specify a weight (3 kg), and this proposal is intended to facilitate compliance by allowing a simple count, rather than the requiring a Fisheries Officer to weigh the yabbies. It would also bring the possession limit into line with the recreational possession limit.

Council members raised concerns that 200 yabbies may be too few to be of use to a bait seller. Concerns were also raised regarding the supply of yabbies in some areas, and requirement that bait shop owners must buy yabbies from licensed commercial fishers. ACoRF questioned the situation where there were no commercial fishers in the region, and was advised that should supply be a problem, then a yabby farm could be approached.

The Council agreed that even if there was a problem with the supply of yabbies, this should not be confounded with the need for a prescribed yabby limit over which documentation was required. The appropriate number of yabbies requiring documentation, and the need for an easily enforceable measure (weight vs number) were clearly separate issues.

The Council suggested that NSW Fisheries approach the major bait retailers in the Wagga Wagga and Albury region for further consultation on the appropriate number of yabbies that could be sold before documentation of the supplier was required. The Council also requested that in future to avoid confusion the term "freshwater yabby" should be used.

Recommendation

Amend the prescribed quantity of crustaceans (yabbies only) from a weight measure to a quantity measure (body count). That the number of yabbies to be held in possession for sale be subject to further consultation with bait retailers in the Wagga Wagga and Albury area before being finalised.

Issue

Concern has been expressed about the activity of spearfishers operating in and around the Evans River entrance. A petition has been submitted in support of a closure.

Background

Under Schedule 4 of *the Fisheries Management (General) Regulation 1995* the Evans River is listed as one of the waters in which spearfishing is prohibited, it states:

‘Evans River: County of Richmond, Parish of Riley at Evans Head: The whole of tidal waters of the Evans River together with all of its tributaries, from the Pacific Highway Bridge, downstream to its meeting with the South Pacific Ocean’

Jim Beattie , DFO Richmond, believes the object of the closure is twofold. One being to protect the large female flathead which frequent the entrance area during spawning and secondly to reduce angler – spearfisher conflict.

Occasional complaints have been received over the past two years regarding alleged illegal spearfishing within the river adjacent to the breakwalls. The outside area of the breakwalls is not subject to the current restriction and is a source of complaint when spearfishers are active there. The breakwalls are popular with anglers, surfers and swimmers who visit in large numbers. This is particularly the case during holiday periods.

Discussion

NSW Fisheries identified concerns regarding spear fishing along the outside of the break wall at Evans Head River including boat and diver safety, and complaints from swimmers and surfers, and conflict with line fishers.

The spear fishing representative raised the following points:

- the flathead catch of approximately 800 tonnes has remained constant for some years and the impact on flathead stocks from spear fishing was negligible.
- while conceding that spear fishers may take flathead of a larger average size than anglers, this reflected the cryptic nature of the fish.
- the proposal may represent a bias against spear fishing by some officers within NSW Fisheries.
- in rough conditions where diver and boat safety might be an issue, there was unlikely to be any spear fishing or boating taking place given the nature of the Evans River entrance, and the prohibition on spearing within the river itself.
- any waterway safety and navigation concerns are a matter for Waterways.
- a "gentleman's agreement" exists whereby spear fishers stay 50m away from line fishers.
- spear fishers were already discriminated against by being excluded from the inside of the breakwall, whereas line fishers may fish inside and outside the breakwall.
- spear fishers are bound by the same rules as recreational fishers and therefore should not be singled out for targeting spawning flathead.
- spear fishers also contribute to tourism for the local area.

Recommendation:

ACoRF does not support the proposed Evans Head spearfishing closure.

Issue

Freshwater Review update

Background

The Freshwater Fishing Review Committee (FFRC) has been established to assist in reviewing the State's recreational trout and freshwater native fish fishing regulations. The process will focus upon big picture issues and in particular will consider sustainability issues. It is envisaged that local issues will be dealt with on a local scale.

The FFRC will act as an expert advisory committee to ACoRF to advise the Minister for Fisheries on regulatory amendment.

Discussion issues include; set lines, time limits on set gear, hook numbers, yabby trap by-catch, size limits & spawning period closures for trout, further restrictions on Murray crayfish capture (seasonal closures and/or gear limits), Murray cod (slot sizes and catch reductions), minimum size limits for Australian bass, and the protection of Macquarie perch from incidental capture gear.

Discussion

The Freshwater Fishing Review Committee (FFRC) is in the process of drafting a management Options Paper. The final document will be referred to ACoRF for consideration in December.

The aim of the FFRC is to assess current freshwater rules and regulations against legislative objectives. These are to promote Ecological Sustainable Development; conserve fish stocks and key fish habitats and provide quality recreational fishing opportunities. FFRC met on 31/8/01 and 02/11/01 to discuss possible amendments and to workshop options.

Consultation timeframe:

January 2002 – paper released to community for comments

March/April 2002 – responses collated and reviewed.

April/May 2002 – regulatory amendments recommended to Minister.

The Freshwater Fishing Guide has been placed on hold until this process is complete, therefore the FFRC timeframe is critical.

NSW Fisheries sought ACoRF's support for the following issues identified by FFRC to be included in the Options Paper. Note that ACoRF has not been asked to endorse any proposal at this stage, but only to support them being included in the public consultation process.

Setlines

'Prohibit setlines but permit the use of two attended lines in all non-tidal waters (other than notified trout waters)'

This would mean a reduction from 4 lines in the western drainage to 2 lines statewide.

Set gear

'Introduce maximum set time of 24 hours'

'Prohibit the use of set gear in areas where threatened species are present'

The purpose of this proposal is to have fishers attend or regularly check their gear.

Recommendation: ACoRF supports the proposals relating to setlines/gear being included in the Options Paper.

Murray Crayfish

*'Introduce a closed season that extends from 1 September – 30 May (3 month open season)'
'Reduce bag and possession limit to 5 (1 bigger than 12cm)'*

Victorian Fisheries have moved to implement the same arrangement.

Macquarie Perch

'Introduce arrangements to reduce potential for by-catch, for example, restrict bait fishing in known habitat.'

Recommendation: ACoRF supports these Murray crayfish and Macquarie perch proposals being included in the Options Paper.

Trout bag, possession and size limits.

*'Reduce bag and possession limits in general trout dams to 5 and 10'
'Increase the size limits in general trout dams to 30cm'
'Make changes in selected dams only'*

Recommendation: ACoRF supports these proposals for trout being included in the Options Paper.

Murray Cod

*'Amend bag and possession limits to 2 fish in total'
'Reduce the maximum size limit restriction to 1 fish over 75cm (retain 50cm min. size)'*

Recommendation: ACoRF supports this proposals for Murray cod being included in the Options Paper.

Australian Bass

'All Bass taken between 1 May – 31 August be released (streams)'

Recommendation: ACoRF supports the Australian bass proposal being included in the Options Paper.

River Blackfish

'A state wide zero take for River Black Fish'

Recommendation: ACoRF supports the proposal for river blackfish being included in the Options Paper.

Eel Tailed Catfish

'A zero take for the Murray and Murrumbidgee Rivers and streams west of the divide'

Recommendation: ACoRF supports the proposal for eel tailed catfish being included in the Options Paper.

Spiny Crayfish

'Extend harvest restrictions that apply to Murray Crayfish to all spiny crayfish''

Recommendation: ACoRF supports the proposal for spiny crayfish being included in the Options Paper.

Yabby Traps

'Allow anglers to use 5 west of the Newell highway'

Recommendation: ACoRF supports the proposal for yabby traps being included in the Options Paper.

Excess gear by anglers being used in groups

'Restrict under 18s without a licence to 1 Yabby trap and hoop net'

'Restrict under 18s holding licence to 5 Yabby traps and 5 hoop nets'

The Council expressed concern that these proposals discriminate against anglers under 18 years of age and questioned the applicability of this proposal to other exemption holders. The Council suggested that there be no discrimination.

Recommendation: ACoRF **does not** support the inclusion of this option in the Options Paper.

Spiny Crayfish in notified Trout waters

'Prohibit the taking and possession of Spiny Crayfish'

Recommendation: ACoRF supports the proposal for spiny crayfish in notified trout waters being included in the Options Paper.

Unattended lines

The FFRC are looking to relax the 10m rule to allow anglers more flexibility when fishing.

The Council supported further consideration being given to a more flexible system.

Recommendation

Each FFRC proposal was noted and supported for inclusion in the Options Paper except for the proposal regarding 'excess gear used by anglers in groups'.

Issue

RFSTEC support for the \$20 million Treasury advance.

Background

Throughout the consultation process on implementation of the licence it was flagged that the buy-outs of commercial fishing needed to create Recreational Fishing Areas would be funded by an advance to allow the process to proceed expeditiously. The Treasurer has confirmed that these funds are available, and advised of the repayment rates and schedule of payments (see copy of Treasurer's letter). RFSTEC supported the crown advance and the repayment schedule.

Discussion

Council reviewed the letter received from the NSW Treasurer.

Some concern was expressed about the capacity for repayment of the loan if the general recreational fishing fee was withdrawn at some future date.

It was noted that the first loan repayment is not due until the end of 2002 allowing significant funds to accrue to the trust which could then be used to fund programs in the forthcoming year.

Recommendation:

ACoRF endorsed RFSTEC's support for a \$20m advance from Treasury.

Issue

Recreational Fishing Saltwater Trust Expenditure Committee recommendations for Recreational Fishing Areas in Regions 2,3,4,8 and 1.

Background

RFSTEC at the 3rd meeting on 5/11/01 made the following recommendations on Recreational Fishing Areas, and estimated expenditure.

Region 2

No recreational fishing area is proposed for Region 2.

Region 3

Total closures of commercial fishing recommended.

Deep Creek, Bellinger River & Hastings River;

20 fishing businesses at an estimated cost of \$2,015,000.

Region 4

Partial closures of commercial fishing recommended.

Camden Haven River - Area between Dunbogan Bridge and North Haven Bridge to the mouth including Gogley's lagoon.

Manning River - Area downstream of Ghinni Ghinni Creek including Ghinni Ghinni Creek, Lansdowne River, Dickensons Creek, Cattai Creek, Pelican Bay, Scotts Creek, Farquhar Inlet and downstream of Berady Creek on the south channel.

18 fishing businesses at an estimated cost of \$2,225,000.

Region 8

Total closures of commercial fishing recommended.

Back Lake, Nelson Lake, Bermagui River, Wonboyn Lake and beach, Kiah River, Nullica River, Hoya Swamp (Narooma), Pambula River and Yowaka River.

3 fishing businesses at an estimated cost of \$300,000.

Having a clearer view of the amount being committed for the recreational fishing area selection process, RFSTEC revisited its previous recommendation for Region 1. The Tweed and Richmond River closure options were re-examined in detail to assess the costs and benefits.

The council recommended the following:

Region 1

Closure of the Tweed River to commercial fishing from Boyd's Bay Bridge to the river mouth, and downstream from Rocky Point northeast to Fingal Head boat ramp (including the canal estates, Kerosene Inlet, Wommin Lake and Lagoon, and Sponser's Lagoon). Closure of the Richmond River downstream from Emigrant Creek and including Emigrant Creek, Mobbs Bay and North Creek to the river mouth (commercial crab and eel trapping to be allowed in Emigrant Creek). This will remove 17 fishing businesses at an estimated cost of \$1,700,000.

Discussion

NSW Fisheries advised ACoRF that more than 428 written submissions, including a letter of support from the Bega River Shire Council administrator had been received in support of closing

the Bega River to commercial fishing and implementing a recreational fishing area. The submissions were tabled for ACoRF's consideration. There was general agreement that the submissions, considered with outcome of the public meetings in Region 8 demonstrated clear public support for the closure of the Bega River. ACoRF were advised that it would cost approximately an additional \$150,000 to achieve this RFA.

The Council was advised that the estimated total cost of RFAs for regions 1, 2, 3, 4, 7 & 8 would be approximately \$19 million, leaving approximately \$1million for additional RFAs in regions 5 and 6.

Clarification was sought as to the extent of the Tuross Lake closure in region 7. ACoRF was advised that the Tuross Lake closure includes all the tributaries and associated waters including Borang Lake, Truncatabella Lake and Bumbo Lake.

Recommendation:

ACoRF endorses RFSTEC's recommendations for Regions 1, 2, 3 and 4 as outlined, and Region 8, including the Bega River. [Note that the recommendations for recreational fishing areas for region 7 had been made at a previous meeting].

Issue

Other trust fund expenditure recommendations from RFSTEC 3rd meeting.

Background

Sufficient funding for the entry of licence details had only been provided to cover the process up until the end of the 2001 calendar year. The 3rd RFSTEC meeting recommended a further \$30,000 in funds from the saltwater trust to provide for the entry of licence details up until the end of the 2001/02 financial year. Funding is sought to continue to the end of the 2001/02 financial year.

The council also questioned why the Fishcare Volunteer Program did not show up on the budget projections beyond the current financial year. When it was explained that no approval had been given for further funding, the council recommended that \$500,000 be provided for the 2002/03 financial year, and that consideration be given to securing ongoing funding for the program.

Discussion

In recognising the benefits to recreational fishing from an ongoing Fishcare Volunteer Program, and noting that recruitment for Education Officers was in progress, ACoRF considered that funding should be made available for the 2002/03 financial year to ensure continuity of the program. Additionally, the Council recommended that the options for ongoing funding be explored.

ACoRF endorsed the need for timely licence data entry to support future research work, and to enable licence renewals to be sent out.

Recommendation:

ACoRF endorse the expenditure of \$500,000 from the saltwater trust for the Fishcare Volunteer Program for the 2002/03 financial year, and \$30,000 for entry of recreational fishing licence information to allow data entry to the end of the 2001/02 financial year.

Issue

Consultation with the Advisory Council on Recreational Fishing (ACoRF), the Recreational Fishing Freshwater Trust Expenditure Committee (RFFTEC) and the Recreational Fishing Saltwater Trust Expenditure Committee (RFSTEC) on the policies and priorities for expenditure from the recreational fishing trusts.

Background

Revenue collected from the recreational fishing fee must be deposited into dedicated trusts, and may only be spent on research, compliance, management and consultation associated with recreational fishing.

Sections 234(4)(b) and 235(3) of the Act require the Minister to consult with the relevant advisory council about the policies and priorities for expenditure from the Freshwater and Saltwater Trust Funds, respectively. ACoRF, RFSTEC and RFFTEC discussed and supported the draft policies and priorities document at their meetings of 22 June, 7 May and 25 May respectively. The Committees provided advice on policies for expenditure including the process for calling for applications and relevant application and reporting forms. The committees made no other major suggestions to the document.

A timetable for applications for trust funding for the 2002/2003 financial year is being developed to allow a reasonable amount of time for the preparation, processing and consideration of applications (by RFSTEC/RFFTEC, ACoRF and the Minister). While the expenditure committees and ACoRF have approved the attached policies and priorities document it is suggested that it be reviewed again to ensure they are completely satisfied with the listed priorities.

A copy of the proposed timetable for trust fund applications, advertisement and application kit will be forwarded to the Minister for approval when a list of expenditure priorities has been finalised by ACoRF. The Minister proposes to approve the "Policies and Priorities for Expenditure from the Recreational Fishing Trusts" as a final policy document, the advice of the Council is formally sought.

Discussion

In supporting the need for a standard process for project application and reporting, ACoRF also recognised the need to define areas for funding priority. This will assist applicants for trust funding to tailor programs to priority areas. The benefits in linkage to the National Competitive Grants Program (NCGP) were discussed, including the need for supported programs to be identified as soon as possible as applications to the NCGP close in early 2002. Linkage would significantly leverage the trust funds invested, giving better value for each trust fund dollar. Now that RFAs and other expenditure priorities have been mostly set, there is an opportunity to prioritise research and other project needs and to allocate seed funding where appropriate. NSW Fisheries was asked to assist the prioritisation process by providing examples of possible project areas for consideration.

Action Item NSW Fisheries to prepare a paper on priority areas for trust fund expenditure to assist the prioritisation process.

Recommendation: For information and ongoing consideration.

Issue

Marine parks proposals

Background

The proposed marine park for Jervis Bay may impact on the recreational fishing in that area through the zoning proposals. A new marine park has been proposed for Byron Bay, and a discussion paper released. A copy of the latter is provided.

Discussion

The Council members identified the following issues of concern with the Jervis Bay Marine Park:

- The proposed Marine Park appears to preclude angling in the most important fishing areas.
- There are few intertidal Sanctuary Areas. The proposed Sanctuary Area from Drum and Drumsticks to Crocodile Head is not an intertidal area. Based on extensive local knowledge, Council members confirmed the shallow area with respect to Drum and Drumsticks lies to the north of the area.
- The proposed Marine Park plan appears too complex, and Council members thought that this complexity would discourage anglers from fishing in the area due to the fear that they could be fishing in the 'wrong' areas.
- As a consequence of this tourism to Jervis Bay is likely to decrease.
- It was noted that while Aboriginal communities still utilise this area extensively for cultural purposes, this aspect of usage had not been properly considered in the Jervis Bay Marine Park Management Plan.
- There has been no sound justification for the closures proposed. The areas to be protected should be habitats that cannot be found anywhere else within that bio-region.
- The Marine Park Sanctuary Zones appear to have been chosen with the intention of reducing recreational fishing, especially shore based fishers, rather than to protect specific habitats. This view is based on the observation that similar habitats to those identified in the Sanctuary Zones are available for protection in areas inaccessible to anglers.
- An underwater vegetation map showing what the Marine Park management plan will be protecting needs to be considered.

With regards to the proposed Byron Bay marine park:

- Duplication of protected area types between Byron Bay and the Solitary Islands Marine Park need to be closely examined. Protected areas or Sanctuary Zones in the proposed Byron Bay Marine Park should be genuinely unique, and not be represented in the Solitary Islands Marine Park.
- As the Bioregion covering the proposed Byron Bay Marine Park also covers QLD waters, NSW Fisheries ensure that QLD agencies and GBRMPA are consulted to ensure that there is no duplication of areas.

Recommendation:

ACoRF to put in a formal submission to express these issues and concerns.

A) The Marine Parks Authority response regarding Solitary Islands Marine Parks proposal was received and noted.

B) Removal of Native Finfish

Ephemeral lakes in western NSW from time to time dry out with the resultant death of any fish that are contained within the system. Occasionally quantities of marketable fish, mostly golden perch, are trapped in the drying lakes. In the past NSW Fisheries has allowed commercial fishers to harvest these fish under permit. Given that the commercial fishery for native finfish is now closed, NSW Fisheries is seeking ACoRF's views on the continuation of this practice. ACoRF expressed concern over the impact this would have on the market, in terms of product quality, and in rekindling demand for wild-caught native finfish. Further, ACoRF sought information on which lakes or areas from which the native finfish would be removed. The Council was concerned that an extensive system such as the Menindee Lakes might be involved, and that the controls may not be flexible enough to cope with sudden rainfall events. The Council was also concerned about the precedent of again allowing commercial fishers to target native finfish.

Recommendation:

ACoRF **does not** support the removal of native finfish from drying lakes by commercial fishers.

C) Bull rays in Wagonga Inlet.

A number of bull rays are being fed by the public from a jetty in the Wagonga inlet. The rays have become a tourist attraction, but some anglers have targeted the rays to the distress of locals and tourists. NSW Fisheries is seeking ACoRF support for a closure to be applied to the area to prevent fishing for these rays.

Recommendation:

ACoRF does not support a fishing closure but recommends protection for bull rays in the area of the board walk and jetty, with suitable signage to be erected advising anglers not to fish for bull rays and should they be caught accidentally, that the line be cut to release the ray.

D) Response from NSW Fisheries Management Planning team regarding the recommendation from ACoRF to have the list of small water bodies, as proposed by RFSTEC, considered for commercial closure during the Estuary General Environmental Impact Statement/Fisheries Management Strategy process.

Response from the Management planning team:

The Estuary General Environmental Impact Statement (EIS) is due to be placed on public exhibition from 17 November 2001 to January 2002.

Please advise ACoRF at the next available opportunity that we will accept its submission (ie. the list of estuaries for closures) as a submission received during the exhibition period and it will be taken into account along with the remainder of submissions that are received.

However, it should be pointed out that ACoRF may also wish to provide a more detailed submission on the EIS, especially if it wishes to provide reason/s for the proposal to close the estuaries listed.

Recommendation:

RFSTEC/ACoRF to provide reasons for the proposed closures during the public exhibition phase of the Estuary General EIS.

E) Indigenous Fishing Strategy (IFS)

Council requested an update on the status of the IFS and requested a copy of the draft Strategy.

Action Item: NSW Fisheries to confirm the status of the Indigenous Fishing Strategy for Graham Moore.

F) Coxswains certificate required for tour guides

The requirement for canoe-based tour guides to hold a Coxswains certificate, which requires 1800 hours of time on a boat, was raised. Council was advised this is a matter for Waterways and the issue should be raised with them through the Waterways Authority Advisory Council.

G) Insurance for commercial operators

The Council sought advice on whether commercial fishers are allowed to renew their commercial fishing licences without insurance. ACoRF was advised that NSW Fisheries does not require commercial fishers to hold business insurance to renew their licence. Insurance is a matter for the individual and is not compulsory. The only exception is in the ocean hauling fishery, where operators are required to possess public liability insurance.

H) Recreational Fishing Areas – Regions 5 and 6

Documents were released for public consultation on 14 November. Regions 5 and 6 cover the area from The Entrance to Wollongong, including Sydney Harbour. Comments/proposals must be received by 11 December.

I) Aquaculture

The Council requested clarification of aquaculture practices, ie whether the rules differentiate between fish and crustaceans. It was suggested that off shore pens should be closely monitored.

Action item:

That the Aquaculture Branch present a report to ACoRF at the next meeting.

Agenda Item 11. Next meeting

Monday 21 January 2002 – Following Joint Advisory Committee (EPT) meeting.

Meeting declared closed by Chair at 2:00pm.