



NSW DEPARTMENT OF  
PRIMARY INDUSTRIES

**This document is part of a larger publication** and is subject to the disclaimers and copyright of the full version from which it was extracted.

The remaining parts and full version of the publication, as well as updates and copyright and other legal information can be found at:

<http://www.dpi.nsw.gov.au/aboutus/resources/corporate-publications/nsw-dpi-annual-report-2007-08>



# Fisheries, Compliance and Regional Relations Division

*Sustainable use of our fisheries resources*

## Nature and scope of activities

Fisheries, Compliance and Regional Relations Division manages the development and sustainability of the state's fisheries resources and the aquaculture industry, and conserves aquatic biodiversity. The division ensures compliance with legislation, and fosters strong relationships with regional organisations.

The division has four branches:

- Compliance Operations Agriculture and Fisheries
- Fisheries Conservation and Aquaculture (incl. CAU)
- Wild Harvest Fisheries
- Regional Directors

## Major outcomes achieved

### Appropriate access to and wise management of natural resources

#### Fish hatchery accreditation (State Plan S8, P6, E8)

NSW DPI is accrediting Murray cod, golden perch and Australian bass hatcheries under a hatchery quality assurance scheme which addresses genetic diversity, health management and translocation. Accreditation under the scheme is mandatory for hatcheries wishing to stock fish in NSW waterways. Departmental hatcheries must also comply with the scheme's standards. Compliance to date has been extremely high, helping to ensure high quality fingerlings for waterways and the aquaculture industry.

#### Marine stocking of prawns and mulloway (State Plan P6, E4, E8)

A series of marine fish stockings were undertaken in 2007–08 to enhance recreational fishing opportunities. Over 70 000 mulloway fingerlings were stocked in Botany Bay and three North Coast estuaries while nearly five million prawn juveniles were stocked in Wallagoot and Back lakes on the far south coast. The stockings were part of a broader study with the University of NSW to investigate the effectiveness of stockings and identify any ecological issues.

Both the stocked juvenile prawns and mulloway showed good survival rates, the former reaching weights of up to 60 grams.

The stocking program has widespread support from recreational fishers who recognise it as a positive step toward better recreational fishing but understand that stocking must be done responsibly.

#### Aquatic habitat rehabilitation (State Plan E4)

Externally funded projects opened up an additional 500 kilometres of waterways for fish passage. Improvements in fish habitat included:

- reinstatement of nearly 1 400 snags
- rehabilitation of 230 hectares of wetlands
- rehabilitation of 60 kilometres of riparian vegetation along the banks of the Tumut, Balonne, Namoi, Castlereagh and Darling rivers.



NSW DPI Albury-based conservation manager, Martin Casey, supervises resnagging operation on the Murray River.

Workshops informed local government and other stakeholders of the impacts of road crossings on environmental flows, water quality and fish passage and highlighted methods to remediate road crossings. Many participants commented that they had previously been unaware of the issues and their legislative obligations — feedback that confirms the value of the workshops in educating key planners and decision-makers across government.

#### Aquatic habitat protection (State Plan E4)

NSW DPI is responsible for conducting environmental assessments of any developments or activities affecting fish habitat and threatened fish or marine vegetation listed under the *Fisheries Management Act 1994*. In 2007–08 we gave conditional approvals to over 530 developments.

In connection with our work with local government to improve aquatic habitat protection under local environmental plans, NSW DPI produced key fish habitat digital maps for 70 per cent of local government areas. We will complete maps for the remaining areas by December 2008.

#### Grey nurse shark (State Plan E4)

New arrangements commenced to protect grey nurse sharks, an endangered species, at Manta Arch (South Solitary Island) and The Steps/Anemone Bay (North Solitary Island).

In summary, spinning, trolling and lead lining can continue at the sites, although conditions apply, but all other ocean trap and line fishing methods are prohibited. The closures in place at Fish Rock/Green Island (South West Rocks) and Magic Point (Maroubra) were amended to reflect these changes.

#### Revised recreational fishing regulations (State Plan E4, E8)

Regulation of recreational fishing ensures healthy and sustainable fisheries for future generations. Minimum legal lengths allow fish to reach maturity and complete their breeding cycle while bag limits help to give everyone a chance to catch a good fish and protect species from over-fishing.

After extensive consultation with the NSW fishing community about modified size limits, bag limits and fishing methods, NSW DPI introduced a number of changes to recreational fishing rules in September 2007. A summary of the new rules is available at [www.dpi.nsw.gov.au/fisheries/recreational/summary](http://www.dpi.nsw.gov.au/fisheries/recreational/summary) and most tackle shops.

#### New share management fisheries (State Plan P1, P6)

Share management has been successfully implemented for all major commercial fisheries – ocean trap and line, ocean haul, ocean trawl, estuary general and estuary prawn trawl. The scheme secures access rights for fishers, provides operators with business flexibility and enables NSW DPI to address industry concerns.

Over 350 share transfers with reported values of \$7.4 million were completed to 30 June 2008. The level of trading shows that fishing operators appreciated gaining the flexibility to adjust their businesses by either acquiring or disposing of share classes or building up their shareholdings.

### Marine park buyouts (State Plan E4, E8)

NSW DPI managed the successful buyout of commercial fishing licences following the finalisation of zoning plans for two new parks — the Port Stephens-Great Lakes Marine Park and Batemans Marine Park. The voluntary buyout program, for which the NSW Government allocated \$20.7 million, compensates operators for the reduction in areas accessible for commercial fishing in the parks.

Taking advantage of the buyout, 76 fishing operators surrendered all entitlements associated with their businesses while lobster and abalone shareholders surrendered 300 and 200 shares respectively. A further 23 fishing businesses were removed from the NSW commercial fishery when agreement was reached with the owners, who also had access to certain Commonwealth fisheries, to surrender their NSW entitlements.

### Environmental assessments and shark conservation

(State Plan E4)

Together with the NSW departments of Planning and of Environment and Climate Change, NSW DPI is completing the environmental assessment for the NSW Shark Meshing (Bather Protection) Program. We are also developing a joint agreement with these departments to manage and, where possible, mitigate any potential impacts of shark meshing on threatened species listed by either the *Fisheries Management Act 1994* or the *Threatened Species Conservation Act 1995*.

NSW DPI continues to meet national and international commitments in shark conservation and management through implementing the National Plan of Action for the Conservation and Management of Sharks (Shark-plan) and relevant actions within the operational plans for the sustainable use of shark resources. We represent NSW at both the National Shark Recovery Group and the Shark-plan Implementation and Review Committee.

### Threatened species (State Plan E4)

NSW DPI developed and publicly exhibited the draft *Priorities Action Statement*, which is required by the 2004 threatened species legislation reforms. The draft statement identifies strategies to recover threatened species, populations and ecological communities and to abate key threatening processes listed under the *Fisheries Management Act 1994*. The final statement will be reviewed every three years with review entailing a report by the Director-General on achievement of the identified strategies.

We finalised the recovery plan for the river snail (*Notopala sublineata*) and the threat abatement plan for removal of large woody debris. Drafting of recovery plans for black cod (*Epinephelus daemeli*) and Macquarie perch (*Macquaria australasica*) progressed. Both plans will incorporate a risk management framework based on the framework used in NSW DPI's commercial fisheries management strategies — a first in recovery planning.

In January 2008 NSW DPI assessed the impact of the ongoing drought in the Murray Darling Basin on several listed threatened fish species. Of the 18 sites assessed, most were found to be at low risk and without urgent need for immediate intervention but four sites in the Murray and Murrumbidgee catchments were

identified as high-risk, warranting ongoing monitoring.

### Best practice for sustainable grazing (State Plan P6, E4)

NSW DPI, through the Catchment Action Unit (CAU) is working with graziers to develop guidelines for best practice sustainable grazing and engaging directly with them through workshops and field days. This year we worked with more than 2 500 farmers in the Sydney and Hawkesbury-Nepean catchment areas on more effective management of stock, pastures, soils and water. Collectively these farmers are responsible for approximately 2.2 million hectares of coastal floodplains, wetlands, water catchments and increasingly climate-affected inland areas.

The Stockplan, PROGRAZE, Landscan, Paddock Plant ID, Farmers Guide to Climate Risk and Managing Pastures for Horses workshops were delivered in the Sydney, Hawkesbury-Nepean and Hunter-Central Rivers areas. Best management practice incentives linked to completion of the workshops led to increased fencing for stock exclusion from waterways, stock containment areas to protect groundcover in times of drought, and improved stock management.

### Fisheries compliance (State Plan E4)

Compliance officers undertook a range of activities in 2007–08 in cooperation with other state and federal agencies including Police, Customs, NSW Maritime, NSW Marine Parks Authority, and the NSW Department of Water and Energy.

Due to extensive day and night patrols, intelligence gathering, covert operations and regular compliance actions:

- over 2 000 penalty notices were issued relating to fisheries offences
- over 3 300 items including vehicles, vessels, traps, nets and fishing gear were seized
- over 450 cases were prosecuted. Of the prosecutions, around 93 per cent were successful, a figure similar to 2006–07.

Compliance results included:

- seizure of over 9 900 abalone, which led to a large number of prosecutions
- seizure of more than 930 eastern rock lobsters during a targeted operation on the mid north coast
- seizure of over 80 crab traps on the far north coast
- detection of 39 illegal fishers in a four-month operation enforcing a ban on night fishing around power stations on Lake Macquarie and Tuggerah Lake
- the fining of a Bermagui man more than \$18 000 for organising an unauthorised commercial charter fishing trip
- a fine of more than \$12 000 for two Ulladulla men found in possession of almost 4 000 cockles, all of which were returned to the water.

With fisheries officers undertaking regular patrols, any individual that commits a serious illegal fishing offence should expect to be caught and receive a prison sentence of up to two years or a community service order; individuals may also receive a fine of up to \$22 000. During 2007–08 one individual received a two month prison sentence, while another individual was sentenced to over 150 hours of community service for two offences; a number of other matters remain before the courts. These

sentences, along with the penalty infringement notices, written and verbal cautions, create an effective deterrent to illegal activity. Further information on compliance appears in the case study at the end of this chapter.

## Safe, healthy and biosecure industries

### Equine influenza (State Plan P6)

As detailed in the equine influenza case study earlier in this report, control of horse movements was important in the first phase of the emergency response. NSW DPI regulatory officers subsequently checked compliance with horse movement controls at race meetings, camp drafts, agricultural shows, endurance rides and other equestrian events throughout NSW. From April to the end of June, regulatory officers attended over 30 events and contacted more than 600 event organisers to follow up on reporting discrepancies.

### Tick control (State Plan P6, E4)

After almost 90 years of operation, the Board of Tick Control was replaced by a ministerial advisory committee with members appointed from the beef and dairy industries, rural lands protection boards and NSW Farmers Association.

Bordercam — an electronic surveillance system, was commissioned at seven border crossings between Queensland and NSW, replacing six manned crossing sites and providing upgraded electronic surveillance technology at a seventh crossing. Bordercam provides continuous crossing surveillance and effectively monitors high-risk livestock movements into NSW.

Over 70 new cattle tick infestations were detected in 2007–08. All new infested properties were quarantined and placed on compulsory treatment programs to eradicate cattle tick.

Following confirmation of an outbreak of tick fever at Burringbar, NSW DPI took quick action to quarantine all affected properties. All at-risk stock were examined and given appropriate treatments to eradicate cattle tick and control the symptoms of tick fever. Only 13 cattle on two properties died during the outbreak.

### Fruit fly (State Plan S8, P6)

The majority of the production zones in the fruit fly exclusion zone, including Leeton and Hillston, retained area freedom for fruit flies for 2007–08. Area freedom was re-established for Narrandera in 2007–08. Unfortunately a late season outbreak of fruit flies affected some producers in the Griffith area.

Random vehicle stops and inspections of over 4 000 vehicles over 29 days resulted in 244 travellers receiving infringement notices for illegally introducing fruit into the fruit fly exclusion zone. Travellers carrying infested fruit are thought to be the principal source of new infestations of Queensland fruit fly in the zone.

### Bellinger River oysters (State Plan P6)

The NSW Food Authority reopened the Bellinger River to oyster harvesting after an 18-month closure due to coliform pollution. Reopening followed joint programs by NSW DPI, industry and local government to address the sources of the problem and investment funding of over \$100 000 to assist land owners in ongoing pollution reduction.

### Industry water needs (State Plan P6)

NSW DPI played a pivotal role in work with the NSW Department of Water and Energy and critical water advisory groups to determine the essential water needs of primary industry producers, particularly those in southern NSW. Our advice assisted the department in making direct water allocations to priority areas and helped minimise the extreme impacts of long-term drought on individuals and rural communities.

## Excellence in people, innovation and service delivery

### Fish-friendly farms

The achievements of the innovative Fish Friendly Farms program were recognised with the naming of the program as a finalist in the national 2008 Banksia Awards. The program encourages farmers to build and preserve native fish populations through actions such as leaving snags in streams, growing native vegetation on stream banks and controlling agricultural run-off. Banksia award winners will be announced in July 2008.

### Helping farmers achieve healthy soils (State Plan E4)

NSW DPI, through the CAU, manages a number of externally funded projects that focus on improving landholder understanding of soil health and this year trialled new training methods — with great success. The training equips landholders to make informed decisions about implementation of cropping practices that improve soil sustainability, fertiliser application and grazing strategies that maintain or improve soil health.



Leader Volunteer Bob Audsley demonstrates casting techniques to young anglers at a Cronulla Fishing Workshop

### Fisheries information and education (State Plan S8, P6, E4, E8)

In 2007–08 NSW DPI answered approximately 20 000 phone calls on our 1300 550 474 number and 3 000 emails on the [information-advisory@dpi.nsw.gov.au](mailto:information-advisory@dpi.nsw.gov.au) email address — the central contact points for information and feedback on NSW fishery management issues. Enquiries covered the recreational fishing fee and recreational fishing rules, marine parks, commercial fishing, aquaculture and fisheries conservation.

The successful Fishcare Volunteer program continued during the year with our 327 volunteers speaking to around 233 340 anglers across the state and introducing close to 2 000 children to the joy of fishing. Around 7 to 10 per cent of volunteers are from non-English speaking backgrounds.

## Streamlined approvals for aquaculture developments

(State Plan P1, P6)

Under the State Environmental Planning Policy, NSW DPI is working to develop sustainable aquaculture strategies for oyster and land-based aquaculture. The aim is to simplify approvals for aquaculture investors and detail best management practice.

Now implemented, the NSW Oyster Industry Sustainable Aquaculture Strategy is streamlining assessment of developments that may affect water quality in oyster-producing estuaries. When finalised, consolidation of existing land-based aquaculture strategies into a single document will reduce assessment requirements for proposed farms with a low environmental risk.

## Significant Issues

### Exceptional Circumstances declaration for drought areas

(State Plan S8, P6)

In conjunction with rural lands protection boards and the NSW Farmers Association, NSW DPI held on-farm meetings with producers to examine how the drought affected a wide diversity of production systems across NSW. The assessments formed the basis of Exceptional Circumstances reviews by the Australian Government and resulted in continued financial assistance to communities in need.

### Pacific oysters (State Plan P6, E4)

Following representations from the oyster industry, NSW DPI developed a draft Pacific oyster management plan for the Wagonga Inlet and Clyde River, where large numbers of noxious feral Pacific oysters have been detected. The plan considers best management practice, options to remove Pacific oysters from unleased land, and compliance requirements. Both estuaries subsequently adopted management plans. We also worked with industry and volunteers in both estuaries on control works to remove Pacific oysters.

Pacific oysters are not native to NSW and are listed as a noxious species under the *Fisheries Management Act 1994*, in all locations except Port Stephens.

## Future directions

In 2008–09 the division will:

- work with the state's Commercial Fishing Industry to secure environmental sustainability and economic viability into the future. A structural adjustment program that will link shares and access as well as dealing with latent effort will be established.
- carry out a review of input controls currently applying to commercial fishing operations in an effort to increase productivity without compromising environmental management measures.
- continued improvement of recreational fishing opportunities through the expansion of the artificial reefs
- rollout of the Get Hooked primary schools education program to over 250 schools across NSW, which will introduce an estimated 20 000 children to safe, responsible and sustainable fishing.
- implement the approved provisions of the Palmer report on 'Illegal Fishing for Commercial Gain or Profit in NSW' that includes a significant increase in penalties for illegal fishing
- finalise the environmental assessment and implementation of two joint management agreements for ongoing management of the NSW Shark Meshing (Bather Protection) Program.
- finalise and implement the Priorities Action Statement, which sets out strategies for promoting the recovery of each threatened species, populations and ecological communities and managing each key threatening process listed under the *Fisheries Management Act 1994*.
- investigate the opportunities for offshore fin fish farming along the NSW coastline
- improve the 'Emergency Ready' capacity of NSW DPI in the regions by creating and training back up response teams.
- gather regional intelligence to inform NSW DPI policy and programs and promote external stakeholder understanding of our commitments under the regional delivery component of the *State Plan*.

## Divisional performance

Service Measures	Units	2005-06	2006-07	2007-08
Native fish stocked	mill	2.3	2.3	2.5
Habitat restoration sites	no	280	122	155
Areas of submerged lands leased	ha	4 192	3 895	3 850
Aquatic species protected	no	29	32	34
Prosecutions (fisheries)	no	525	359	400
Self Enforcing Infringement Notice Scheme notices (fisheries)	no	2 288	2 352	2 600



## Case study: Compliance action promotes quality inland recreational fishing

With the ongoing drought making inland fish stock even more vulnerable, the need for compliance with recreational fishing regulations becomes even more important. As a result Fisheries officers in the state's south west, which is popular with NSW and Victorian fishers alike, have been actively focused on the dual strategies of encouraging voluntary compliance and deterring illegal activity.

To maximise voluntary compliance, they attended a range of relevant events, including the Melbourne Fishing Expo, to give out information and educate the fishing public. Brochures and sticky rulers funded by the Recreational Fishing Trust were distributed to fishers and the officers spoke personally to thousands of people about the fishing rules that apply in NSW.

To complement these efforts, the officers conducted eight major operations in the past year in south western NSW. The operations targeted peak periods of fishing activity and specific compliance issues along the Murray River between Albury to Mildura and along the Murrumbidgee River from Wagga Wagga to Balranald.

During these operations, fisheries officers checked over 3 100 fishers. Of these, 360 fishers (— or about 11.5 per cent), were not complying with one or more fishing rules. The more serious offenders are being prosecuted in court, while many more have received one or more penalty infringement notices.

In addition, the officers seized over 100 yabby traps, 100 set lines and 20 fish traps, and over 650 yabbies and almost 200 fish, including protected species, undersized and/or illegally caught fish.

As inland fish stocks can also be affected by damage to fish habitats, DPI uses specialist fisheries conservation officers to detect illegal habitat damage.

In 2007–08, fisheries conservation officers met with landowners, local government authorities, construction companies and other groups to manage the impact of private and public works on fish habitats. When illegal damage was detected, offenders were either cautioned, issued with infringement notices or prosecuted, depending on the scale of the offence. A key issue in each case, however, has been remediation of the damage wherever possible - and this has resulted in a number of remediation orders being put in place.