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NSW COUNCIL OF FRESHWATER ANGLERS INCORPORATED MINUTES OF THE GENERAL MEETING – 15 AUGUST 2009 THE PENRITH REGATTA CENTRE, PENRITH 15 AUGUST 2009

Present:

Steve Samuels (President), Chris Beale (SWAA), Rob Bradley (MAS), Radge Diakiw (SFR), Brian Dobbie (FFB), Peter Gibson (CTAA, RFS), John Humphries (CCFC), Alan Izzard (BS), Terry Maloney (SWAA), Laurie Muldoon (NETAS), Garnet Noble (BS), Terry Rowling (CAS), Don Salter (Lakeside), Karl Schaerf (CAS), Jim Taylor (BS), Rodney Tonkin (OTAS) Lofty Tottenham (NSWRFS) Andrew Waters (CCFC) and Steve Williamson (PFIGA)

Invited Guests:

Ben Doolan (DII), Malcolm Poole (RFA).

1. Welcome and Commencement

After closing the AGM, Steve Samuels commenced the General Meeting at 10.20am.

Apologies

Phillip Clarke (NETAS), Terry Flanagan (DL) Daryl Girling (SWAA), Chris Ghosn (BS), Peter Kelly (SFRC), Alistair McBurnie (DII), Wayne Protheroe (SWAA), Wendy Protheroe (SWAA), Bill Spiers (NSWRFS), John Vernon (SFR), Cameron Westaway (DII), Allan Wilcox (BK) Betty Williams (CAS) and Tom Williams (CAS)

2. Minutes

The Minutes of the General Meeting of 16 May 2009 were adopted. (Tonkin/Humphries)

3. BUSINESS ARISING FROM 16 MAY 2009 MEETING

3.1 Gaden Hatchery Update.

Further to his written report (see Background Papers at Attachment 1) Steve Samuels reported that much progress was made at the 10 August meeting and that he expected that it would take about 12 months before this group, known as the Gaden Trout Hatchery Management Committee agreed with the government on the arrangements for the future the management of the hatchery. As stated in the background papers, the next meeting of the Gaden Trout Hatchery Management Committee was scheduled for April 2010 although the committee was undertaking a number of tasks out of session.

3.2 Fence Stiles

Ben Doolan reported that alternative sites were being sought for some fence stiles originally planned for the Ebor area because agreements could not be reached with some landholders. However installation of stiles in the Monaro area was progressing. Of particular note was a stile for the Paddys Corner area on the Thredbo River, which when taken with MAS gaining trusteeship of a reserve and the goodwill of a landowner, has provided angler access to a much longer stretch of the Thredbo River.

3.3 Freshwater Safety DVD

Malcolm Poole advised that Kaj Bush would be the presenter for the Freshwater Safety DVD. Much of the filming had been completed but there was still some footage to be shot. Some delays were anticipated because work was also being done on a boating safety DVD. Editing of the film footage was due to start soon and it was expected that the DVD would be finalised in about 6 months.

3.4 Illegal Removal of Snags from Murray River

The Council acknowledged the frustration expressed by SWAA about the apparent lack of action with regard to:

- prosecuting those responsible for the illegal removal of snags from the Murray River at Kunanadgee.
- Repairing the damage done to the riparian zone in particular

The Council noted that legal proceeding were now out of the hands of DII and were the responsibility of the government prosecutors and expected this matter to be progressed as soon as possible. However, the Council expressed concern that whilst some work had been done to re-s snag the river, nothing appears to have been done to stabilise and repair the damage done to the riparian zone. The Council agreed that, in consultation with SWAA, the NSWCFCA ask DEC what it is doing to get the damaged riparian zone repaired and why there appears to be no progress. Further the Council agreed that NSWCFCA seek support from RFA, Recfish and the MDBA in this initiative.

The Council also endorsed the approach of Chris Beale and Terry Maloney to raise this matter at the 2009 Murray-Darling Basin Authority's Native Fish Forum, on Tuesday 1st and Wednesday 2nd September 2009 at the Albury Entertainment Centre.

3.5 Access Conference update

Rodney Tonkin and Malcolm Poole reported that the Access Conference has been scheduled for 26, 27 September 2009 and that it was to be held at the Marquee Hotel near Central Station in Sydney. They expected about 50 participants and were sending out invitations to presenters.

3.6 Tillegra Dam Update

Steve Samuels advised the Council that angler access to the waters of Tillegra Dam, after it is built will be improved significantly. In an earlier plan, there was to be no watercraft access to the Native Dog Creek arm of the proposed dam. However, following further negotiations with Hunter Water it was agreed that watercraft access to the Native Dog Creek arm of the dam would be provided for passive watercraft eg, canoes, kayaks and small boats fitted with electric motors. The Council congratulated Bill Spiers and Peter Hughes on this successful outcome and thanked Terry Flanagan and Alastair McBurnie for their efforts in achieving this outcome.

3.7 Dept of Lands Trust Management Plans - Experiences.

Steve Samuels advised the Council that MAS had recently become trustees of reserves at Paddys Corner (See Agenda Item 3.2) and had negotiated access via other reserves on the Thredbo River and the Little Thredbo River at the Crackenback Resort. He encouraged other angling groups to obtain a copy of the Handbook on Trusteeship from the Department of Lands website and offered to help in preparing applications. He advised that he looked forward to the opportunity to present the MAS experience in taking on trusteeships at the upcoming Access Conference (See Agenda Item 3.5) and he expected that this presentation would form the basis of a guide that would help other fishing clubs who were considering setting up trusts to manage reserves.

3.8 Compliance Officers

The Council echoed the concerns of Karl Schaerf that DII appeared to be downgrading its compliance activities to the detriment of recreational angling. To address these concerns, the Council passed the following motions:

- NSWCFCA considers compliance as a major issue (Schaerf/Samuels)
- NSWCFCA establish a position of Fisheries Compliance Liaison Officer (Samuels/Rowling)

- That Karl Schaerf be the NSWCFCA Fisheries Compliance Liaison Officer and that Steve Samuels advise the Minister and DII (Glen Tritton) of the Council decision.(Samuels/Humphries)

The Council looked forward to this initiative resulting in a more productive interaction between DII and the NSWCFCA on this matter.

3.9 Conservation Managers – Staffing reductions

Further to Agenda Item 6.3 of the May 09 General Meeting, The Council noted that the correspondence from Steve Samuels to the Premier and the support from NCC asking the government to reverse its cuts. The RFA had also expressed similar sentiments. Steve Samuels acknowledged the support of the NCC and looked forward to working with the NCC on issues where our goals coincided.

4. REPORTS

4.1. NSWCFCA Executive

Steve Samuels referred delegates to the minutes of the 23 June Executive Meeting in the Background Papers

4.2. RFA-NSW

Peter Gibson reported on RFA meeting of 8 August 2009 attended by himself and Radge Diakiw. He advised that issues discussed at that meeting included:

- The future of Recfish which was in doubt because the new commonwealth government was not continuing the funding arrangements of the previous government.
- Freshwater Safety DVD was progressing slowly but the draft footage looked very impressive(See Agenda Item 3.3)
- Conservation Manager cuts had been taken up by RFA following letters by CFA and NCC (See Agenda Item 3.9)
- Access Conference (See Agenda Item 3.5)detailed report in Background The Angel Rings Project involving ANSA, RFA and Surf Life Saving Australia
- Boat safety regulations
- Desalination Plant implications for fishers in Botany Bay and surrounding areas
- Review of management and administration of grants awarded to RFA noting that the latest annual accounts show an operating loss that will need to be recovered by careful budgeting over coming year.

4.3. RFFTEC

Karl Schaerf advised that he was constrained in reporting on the outcome of the recent RFFTEC meeting as the minutes had not yet been finalised. He did however alert the Council that nominations for 3 REFTEC positions including the one he currently occupies, were being sought.

4.4. Interclub Report

See Background Papers at Attachment 1

4.5 Regional Reports

The Region 1, 4, 5, 6 and VRFish liaison reports are in the Background papers.

4.6 Treasurers Report

4.6.1 FINANCIAL REPORT

The treasurer's report at Attachment 2 was received (proposed R Tonkin, seconded P Gibson).

4.6.2 Out of Pocket Expenses.

The Council endorsed the quarterly payment of out of pocket expenses of \$150 each to the Secretary and President. Rodney Tonkin's suggestion to move the bank accounts to a building society in Orange for greater convenience was approved.

4.6.3 NSWCFR Signatories for 2009/2010

The Council agreed that the signatories for the NSWCFR cheque account be any two of Radge Diakiw, Peter Gibson or Radge Diakiw.
(Tonkin/Izzard)

4.9 Background Papers

Background papers that were circulated to delegates before the meeting or presented at the meeting are at Attachment 1

5. CORRESPONDENCE

Significant items of correspondence included are referred to in the Agenda Items and Background Papers.

6. GENERAL BUSINESS

6.1 DII Update

Ben Doolan advised the Council that:

- DII had, with DPI Vic, had submitted a grant to FRDC to enhance the Murray Cod recreational fishery. To achieve this goal, the Victorian and NSW fisheries authorities would work with relevant angling groups and the MDBA to foster a cohesive and focussed national effort to improve the murray cod recreational fishery.
- There would be a temporary prohibition (6 months) on taking bass with 50 metres upstream and downstream of the Penrith Weir. This closure was considered necessary whilst the fishway at Penrith was being upgraded.

6.2 Redfin Policy.

The Council noted the 2 draft policies on Redfin that were presented in the background papers. There was a diverse range of views expressed at the meeting to the extent that the merit of the NSWCFCA developing a policy on redfin was questioned. Acknowledging the divergence of views, the Council agreed that within 2 weeks, the Secretary, Radge Diakiw provide Steve Samuels with a list of all contact Clubs so that they could be asked whether the NSWCFCA should develop a redfin policy.

The Council also agreed that Rodney Tonkin identify a redfin expert to give a presentation to the Council at a future meeting.

6.3 Changes to the Associations Incorporation Act.

The Council noted advice from Rodney Tonkin and Don Salter that they did not envisage significant implications to the NSWCFCA of changes to the Associations Incorporation Act that will come into force at the end of 2009. The Council agreed that Rodney Tonkin and Don Salter alert the Council should they consider it necessary for the NSWCFCA to change its Rules (Constitution).

6.4 Sale of Crown Lands

The Council noted that the Department of Lands gave notice in local newspapers when it proposed to sell off crown land to enable among other things, objections to be lodged against such sales. The Council also acknowledged the efforts of DII in arranging for the Department of Lands to keep DII advised of any proposed land sales which could affect angler access to waterways. Although the Council appreciated this effort, angler access was being eroded because in some cases land was being sold before its importance for angler access was realised and objections lodged. Of particular concern to the Council was the fragmentary way in which the proposed sales were advertised in local newspapers. The Council considered that, as well as being advertised locally, it was

essential that there be a consolidated list of all current proposed sales at any particular time for the community to scrutinise (the Department of Lands website might possibly serve as such a central site). The Council agreed that the Department of Lands be asked to provide a central listing.

6.5 Fisheries Management Amendment Bill

The Council endorsed the submission, developed by Steve Samuels and Peter Gibson, on the Fisheries Management Amendment Bill (see Background Papers) and looked forward to the submission being properly considered. Of particular concern to delegates was that whilst the Amendment Bill had a provision **to make further provision for the protection of areas where salmon and trout spawn** it was mute on the need to protect spawning sites of native fish. The Council considered this omission is inconsistent with the Department's assurances that native fish spawning sites would be protected. The Council agreed that the Minister be asked to ensure that native fish spawning sites get protection.

6.6 Proposed sale of electricity assets in NSW

The Council noted that whilst the NSW Government had appeared to defer any plans it had for the proposed sale of electricity assets, particularly water storages associated with electricity generating assets in NSW, the NSWCFCA had not received advice from the government that angler access would be assured. The Council agreed that a watching brief be maintained on this issue.

6.7 NSWCFCA Caps and Patches

J Humphries showed the Council a shirt, a cap and patches that he had embroidered with the NSWCFCA logo to wear at the recent boat show where among other things he handed out NSWCFCA membership applications. He advised that costs were:

- Patches \$3.95 each for 50
- Caps \$8.50 each for 100

The Council asked John Humphries to get a price for hats rather than caps and agreed that it would only consider purchase of such items if there were enough orders to warrant purchase.

6.8 CAS Issues

The Council noted the following 3 items raised by K Schaerf:

- **Thompsons Creek Dam:** In recent months there had been reports of gunfire in the forests around the dam. He advised that the police took these incidents very seriously and urged anyone hearing gunfire to report it the police immediately.
- **Dunns Swamp:** DII had refused to stock Dunn Swamp with trout because RAMSAR conditions do not allow RAMSAR waters to be stocked for harvesting. The Council noted that S Samuels and K Schaerf would consult on what action was appropriate.

- **Narrara Creek Dam** The Council noted that K Schaerf was putting a proposal to DII seeking assurances that the general community, including anglers would have access to Narrara Creek Dam after the government sold off the land which is currently occupied by DII.

6.9 Salt Dumping in the Murray River

Terry Maloney advised the Council that Norske Skog a paper manufacturer and pine plantation owner along the Murray River had been given approval to dump 3 megalitres of salty water (equivalent to 1,500 tons of salt per year) which was too salty to use on its pine plantations, into the Murray River. The Council noted that SWAA was seeking more details from the MDBA about the approval and would seek to involve NSWCFRA if they considered it necessary.

6.10 Rivers and Red Gum Alliance

The Council noted the concerns expressed by Terry Maloney, that initiatives to establish national parks on the NSW bank of the Murray River similar to those proposed by VEAC on the Victorian bank of the Murray threatened community access to the Murray River. The Council agreed that Steve Samuels seek to consult with Max Rees of the Rivers and Red Gum Alliance on this matter (See also the SWAA Regional Report in the Background Papers).

6.11 VRFish Native Fish Policy

The Council noted the comments by Rodney Tonkin to the VRFish Native Fish Policy.

6.12 Glenbawn Dam Recreational Fishery

The Council noted announcements about the Glenbawn Dam Recreational Fishery Information and Discussion Session planned for 11 October 2009 at Glenbawn Dam State Park organised by DII in conjunction with the Scone Amateur Fishing Club. For more details contact Craig Watson, DII Tel: (02) 6763 11737.

6.13 NSWCFCA Sponsorships

The Council noted that a significant portion of NSWCFCA operating funds was coming from the annual Interclub event organised by John Humphries. Steve Samuels asked delegates to try and identify ways of broadening the NSWCFCA contributor base by organising events which would appeal to a broader section of the community (for example a fun run). Steve Samuels advised that he intended to raise this issue with the Executive before bringing it to the Council. He also asked that any suggestions be sent to him.

6.14 Minutes Secretary

Noting that the position of Minutes Secretary was not filled at the AGM, the Council agreed that the Executive investigate ways of filling this position, including the option of paying a person with the appropriate expertise.

6.15 Distribution of Background Papers for General Meetings

The Council agreed that Background Papers for future Council meetings be circulated at least one week before the meeting to enable delegates to study the papers and to consult with their constituents as necessary.

6.16 Website Update

Peter Gibson advised the Council that the NSWCFCA had been successful in the application that he and Steve Samuels had submitted for a \$5,000 grant from the Office of Rural Affairs to redevelop the NSWCFCA website. He advised the Council that a condition of the grant was that the NSWCFCA website would provide information on recreational angling opportunities in regional New South Wales.

6.17 Proposed sale of electricity assets in NSW

The Council, when noting the Region 1 Report from Allan Wilcox (See Agenda Item 4.5 Regional Reports at Attachment 1) agreed to investigate whether funding could be obtained to stabilise the eroding riverbanks on the Macleay River in consultation with Bass Kempsey.

7. CLOSE

S Samuels closed the meeting at 4.10 pm and thanked those attending.

NEXT MEETING:

Lake Windamere, Saturday 21 November 2009.

Abbreviations

ACoRF	Advisory Council on Recreational Fishing
BMNDAA	Blue Mountains and Nepean District Angling Association
BS	Bass Sydney
CAA	Canberra Anglers Association
CAS	Central Acclimatisation Society
CSDAC	Council of Southern Districts Angling Clubs
CTAA	Cooma Trout Acclimatisation Association
DEH	Department of Environment and Heritage (Commonwealth)
DII	New South Wales Department of Industry and Investment
DWLC	Department of Land & Water Conservation
FFB	Fly Fish Bathurst
FWA	Far West Anglers
GFFC	Greenwells Fly Fishing Club
HNF	Hunter Native Fish
IFF	Illawarra Fly Fishers
LS	Lakeside Fly Fishing Club
LHA	Leeton Hotel Anglers
MAS	Monaro Acclimatisation Society
MDBA	Murray Darling Basin Authority
MNCFR	Mid North Coast Fly Rodders
NCC	Nature Conservation Council
NETAS	New England Trout Acclimatisation Society
N&NWRA	North and North West Recreational Anglers
NSWCFA	NSW Council of Freshwater Anglers
NSWRFS	NSW Rod Fishers' Society
OTAS	Orange Trout Acclimatisation Society
PFIGA	Professional Fishing Instructors and Guides Association
RFA-NSW	Recreational Fishing Alliance
RFFTEC	Recreational Fishing Freshwater Trust Expenditure Committee
SB	Southern Bass Fishing Club
SCAC	Sydney Coarse Angling Club
SFR	Sydney Fly Rodders' Club
SFFC	Singleton Fly Fishing Club
SH	Snowy Hydro
SWAA	South West Anglers Association
WA	Wingham Anglers

**NSWCFA 15 August 2009 Meeting
Background Papers**

AGENDA ITEM 3.1 Gaden Hatchery

Gaden Trout Hatchery Management Committee Meeting 10 August 2009, Cronulla NSW
The Gaden Trout Hatchery Management Committee met for the second time on Monday 10 August 2009 at the NSW Fisheries Research Centre, Cronulla, NSW. The meeting conducted the following business.

1. A short session was conducted to establish the Mission and Vision Statements for the Committee. While the exact wording was not resolved an acceptable draft was developed. Completion of the statements will be conducted out of session. The Committee considers it most important to identify its core functions and to be able to explain them to the fishers of NSW.
2. The committee discussed the options for running tours at the hatchery as a money making venture. We noted that visitor numbers had dropped over the years. The Committee agreed to endeavour to find a way to employ a guide and raise the profile of the Hatchery. Some funding options will be put to ACoRF.
3. The current promotional video used at the hatchery is now out of date and not compatible with modern media technology. Peter Turnell from Fisheries offered a member of Fisheries staff with video expertise to shoot new footage that can be compiled into a new promotional video. It is expected that this will be at no cost. The video will be available for distribution and use in promotional activities.
4. Fisheries staff are still working on distilling the Gaden budget figures from the more general DPI figures. This is taking longer than anticipated, but a final set of figures is expected to be available to the Committee soon.
5. Application will be made to the Minister to have the Committee officially recognised through the Fisheries Act Regulations.
6. The legal status of the title of the hatchery was discussed. Legal advice indicates the hatchery is Crown Land. At this time it seems that it would be extremely difficult for the Minister to dispose of the hatchery. However should the Minister transfer the hatchery to the Lands Department then that Minister could dispose of it quite easily. Fisheries Officers will seek legal advice on how we may insert a caveat on the title preventing this from happening.
7. The Committee resolved that it will be titled The Gaden Trout Hatchery Management Committee (GTHMC).
8. The Committee discussed the need for a dedicated website for the hatchery that is not linked to the Government system. Options will be discussed out of session.
9. The next meeting of the Committee will be in April 2010 immediately prior to the Trout Allocation Committee meeting.

Steve Samuels

AGENDA ITEM 3.8 Compliance Officers

**CENTRAL ACCLIMATISATION SOCIETY INC.
(FOUNDED 1937)**

MEETING WITH GLENN TRITTON, COMPLIANCE MANAGER, ON 9 JUNE 2009, TO DISCUSS INLAND COMPLIANCE OFFICER POSITIONS.

Following my recent criticism of the failure to fill all currently vacant Inland Compliance Officer positions, I met Glenn Tritton, Compliance Manager, at his office in Narara on Tuesday, 9 June 2009, as a result of the request I made of Cameron Westaway, Manager, Recreational Fisheries, for specific information in relation to the vacancies. Cameron replied that he had forwarded my request to Glenn for his response and I gratefully accepted Glenn's offer to meet him to discuss my concerns.

Glenn addressed all the issues raised and the details are as follows:

1. There are 92 Fisheries Compliance Officer positions in NSW, of which 21 are "Inland" positions. (Note: this figure does not include 9 positions associated with Marine Parks)
2. Six of the Inland positions are (as we are well aware), funded by the Recreational Trust Fund (usually referred to as the Recreational Fishing Freshwater Trust Expenditure Committee, or "RFFTEC")
3. At the date of our meeting, there are 3 Trust Fund positions and 3 "core", or departmentally funded positions vacant in the Inland.
4. The 3 vacant Trust Fund positions ("Fisheries Officer", are at Bathurst, Dubbo & Albury, and appointees should commence duties at those locations on 1 July, 2009. The 3 "core" funded positions are 2 "District Fisheries Officer", one each, Bathurst and Jindabyne and one "Fisheries Officer" at Dareton; a person has been selected (approval pending), for the Bathurst position and will take-up, ASAP. The employee selected for the Jindabyne position will also commence duties there, ASAP. The "core" funded position at Dareton (Fisheries Officer) will also be occupied, ASAP, however, this will, effectively, create a further vacancy for a Trust funded position at Deniliquin
5. In summary, the majority of currently vacant positions will be filled on, or about, 1 July, 2009. However, there will still remain the consequential vacancy of the Trust Funded position at Deniliquin, which, I conclude, means, effectively, there are 7 Inland positions we ought be concerned about at this juncture and I believe, after discussing this point with Glenn, he agrees is the case
6. One "core" funded position (Peter Angel, at Narrandera), undertakes, in addition to compliance duties, Aquaculture & Conservation duties
7. There are 2 "core" funded clerical support officers in the Inland; one each at Albury and Bathurst, the latter only having been recently appointed
8. There are 2 Senior Fisheries Officers (SFO), in the Inland

CONCLUSIONS (Mine).

1. We ought not have allowed this situation to develop by meekly (or, rather, weakly), accepting the ridiculous situation that occurred at Bathurst, where the Trust Fund position became vacant at the end of July, 2008, through the resignation of Matt Ryan. This was preceded by the long-drawn-out process of filling the vacant DFO position (in which Matt was acting), and then the Trust funded position (FO), becoming vacant when he resigned, followed by the further delay when the appointee to the DFO position returned to his former position at Tumut. This was due to, I accept, exceptional circumstances, but, nevertheless, had a very serious impact upon our interests; effectively, Bathurst (supposedly one of the key inland stations), was left without “field” officers for some months. This is unacceptable to CAS and ought not be tolerated in future
2. The “consequential” vacancy, which will soon occur at Deniliquin, must be “anticipated” and arrangements immediately put in place for it to be filled with far less delay than was been the case of all the other vacancies. This fact ought be obvious to everyone concerned and every effort made to ensure we don’t go through this rigmarole, yet again
3. I believe it is beholden upon both CFA (as the espoused, peer group representing the interests of Freshwater Recreational Fishers), and all members of RFFTEC, to be vigilant to the need to ensure our precious freshwater fishery is afforded the highest level of protection, at all times, by a fully staffed Inland Compliance Division.

On behalf of CAS, I request

1. An assurance from CFA that they will make every effort to ensure all vacant Inland Compliance Officer positions are filled far quicker than in the past
2. That the Chairman of ACoRF and RFFTEC (Bruce Schumacher), ensures a copy of this document is forwarded to all members of both committees and that, in future, the matter is treated with far greater concern than in the past. I reject, out-of-hand, flippant remarks, to the effect that “...you get back any unspent Trust Funds from vacant Trust Fund positions...”; we (CAS), want the positions (both Trust Fund and “core”), filled at all times. This isn’t about the monies overseen by the Trust Fund; it’s about ensuring adequate protection of the Freshwater Fishery, which can only be achieved by a fully staffed Compliance Division, the restructure of which was only agreed to in November 2007 and which, I believe, very likely, hasn’t been fully staffed since that date.

Finally, my sincere thanks go to Glenn Tritton, with whom I’ve had a long and valuable relationship and who, despite my ranting and raving, still treats me as a mate, is always willing to discuss such matters and with whom I look forward to working, long into the future, for the betterment of (especially), the Freshwater Fishery. There are many others, within DPI, who could take a leaf from his book!

Karl H. Schaerf,
Honorary Secretary, Central Acclimatisation Society.

AGENDA ITEM 3 9 Conservation Managers

Below are letters from NSW CFA and NCC expressing concern about the loss of Conservation Managers

The Hon. Nathan Rees
Premier, NSW Government.
Level 40, Governor Macquarie Tower
1 Farrer Place, Sydney. NSW 2000.

Dear Premier.

PROPOSED LOSS OF CONSERVATION MANAGER POSITIONS WITHIN THE DEPARTMENT OF PRIMARY INDUSTRIES

The NSW Council of Freshwater Anglers (NSW CFA) is disappointed to note that the NSW Department of Primary Industries is about to sacrifice a number of Conservation Manager Positions within the Fisheries Division. The NSW CFA finds this totally unacceptable from a Government that professes to be environmentally friendly.

Your Government's short sightedness to scrap these positions will set back our conservation efforts to a significant degree. The NSW CFA notes that your Government has over-funded the Marine Park Authority at the same time it is down-sizing the general environmental protection offered by DPI Conservation Managers. This trend is baffling, as we now see that marine parks are over protected, but the wider state is suffering from under protection from your Government.

While the NSW CFA understands budget pressures, we also understand that your Government should be taking the lead in protecting jobs, especially those that are vitally important to the environment.

The NSW CFA requests that this situation is corrected immediately and that the complement of Conservation Managers within DPI be maintained. The NSW CFA deems it feasible to take like positions from within the Marine Park Authority and transfer them to NSW DPI so that the conservation protection of the whole State is not compromised. The NSW CFA understands that this initiative will be cost neutral to your Government and will ensure that Conservation Managers are available to service the whole state not just a discrete section.

Attachment 1

The NSW CFA notes that anglers, through their licence scheme, have consistently contributed to the funding of up to two Conservation Managers over the last 10 years. We are the only public group to do so; no other “conservation group” has assisted Government with the funding of staff. Anglers are aware of the importance of these positions and have demonstrated their commitment to the environment, however anglers have been treated poorly by your Government and our assistance through conservation and financial support to your Government deserves better recognition by you.

The NSW CFA calls upon the NSW Labor Government to work in partnership with anglers and not reduce the number of Conservation Manager positions within the Department of Primary Industries.

Yours sincerely

Steve Samuels
President
NSW Council of Freshwater Anglers
June 2009

29 June 2009

The Hon. Ian Macdonald
Minister for Primary Industries
Level 33, Governor Macquarie Tower
1 Farrer Place
Sydney NSW 2000

Dear Minister Macdonald,

Re: Proposed cuts in Conservation Manager positions in the Department of Primary Industries

The Nature Conservation Council of NSW (the Nature Conservation Council) is concerned by the proposals, recently put forward by the Department of Primary Industries (DPI) (Fisheries Division), to remove a number of Conservation Manager positions.

While we understand the need for the government to reduce costs where possible, it is unfortunate that this move to make savings appears to have been made to the detriment of sound environmental protection.

Attachment 1

DPI's Conservation Managers form a vital interface between the community and the Department and their loss is likely to result in less satisfactory environmental outcomes for aquatic habitats. The Nature Conservation Council feels that it is essential for trained field officers, in the form of Conservation Managers, to exist in order to be able to react quickly to threats to or concerns for the NSW aquatic environment. This is particularly true in regional areas, where DPI's capacity is greatly reduced without Conservation Managers.

The Nature Conservation Council urges you to reverse the decision to remove the Conservation Managers from their jobs.

I look forward to hearing from you.

Yours sincerely,

Cate Faehrmann
Executive Director

Cc. The Hon. Nathan Rees, GPO Box 5341, Sydney, NSW 2001.
Cc. The Hon. Carmel Tebbutt, Minister for Climate Change and the Environment, Level 30 Governor Macquarie Tower, 1 Farrer Place, Sydney NSW 2000.

AGENDA ITEM 4: REPORTS

AGENDA ITEM 4.1

NSWCFA Executive Meeting (SKYPE) 23 June 2009

Draft Minutes

Participants: Steve Samuels (Chair), Chris Beale, Radge Diakiw, Peter Gibson, Alan Izzard and Rodney Tonkin

Apologies: Darryl Girling, Don Salter, Karl Schaerf, Bill Spiers, Allan Wilcox, Tom Williams

NB I did not contact Nick Taransky or Josh Burn

Commencement: Steve Samuels started the meeting at 7.00 pm

General Business

1. Approval for NETAS annual fees to be limited to \$50.00 based of their President's request & possibly permitted under Item 6.2 of the NSWCFA Rules & Objectives.

R Tonkin advised the Executive that NETAS had offered to affiliate with the NSWCFA on the basis that their annual fee be \$50 because of their financial situation. The Executive agreed to an Affiliation Fee of \$50 for the 2009/2010 financial year, with affiliation fees for subsequent years being determined by the Executive after consultations with NETAS.

Attachment 1

2. That new Club's affiliation fees received after mid May 2009 be considered payment for the 2009-2010 financial year. This would include Central Coast Fly Rodders, NETAS, NSW Coarse Angling Research Club, & the Big River Fly Fishing Club totalling \$183.50.

The Executive agreed that as a general principle, affiliation fees from new organisations received by the NSWCFA in May of a particular year be considered as payment for the following financial year. The Executive also agreed that the Treasurer decide how to treat fees received close to the cutoff date.

3. That the following Clubs be admitted to membership of Council: Big River Fly Fishing Club, NSW Coarse Angling Research Club, NETAS, Central Coast Fly Rodders, Singleton Flyfishing Club, Scone Amateur Fishing Club, & the PFIGA.

The Executive agreed to admit the above organisations to membership of the Council.

4. That recovery of the following 2008-2009 unpaid affiliation fees now not be pursued: Noted that the Red Rod Club has withdrawn membership, & that Wingham Anglers is reported to be no longer active in freshwater angling.

The Executive agreed not to pursue the 2008-2009 affiliation fees from the above Clubs. The Executive further agreed that Alan Izzard and Radge Diakiw confirm the status if Wingham Anglers. The Executive noted that should circumstances be appropriate, lapsed organisations would be invited to affiliate again.

5. Status of the NSWCFA GPO Box.

R Tonkin advised the Executive that the cost of maintaining a medium sized post box at the GPO and redirecting the mail from that post box was expensive being about:

- \$300 per annum for the post box and
- \$460 per annum to redirect the mail to Radge Diakiw's address

The Executive acknowledged the expense but were unable to agree on what action, if any to take. Options involving changes included closing the GPO Post Box and:

- getting a smaller post box near Radge Diakiw (the current Secretary)

- have the mail directed to Radge Diakiw's address.
- have the mail directed to Peter Gibson or Alan Izzard who both currently have Post Office Boxes
- getting our corresponders to send their mail to the appropriate action officers

Issues canvassed included:

- inconvenience to our corresponders of the NSWCFCA changing its postal address as officeholders change
- the effort involved in alerting our corresponders of mail box changes
- disruption of our postal communications

The Executive agreed that Radge Diakiw consult with Executive members prior to the August General Meeting in an effort to put an agreed approach to the Council.

6. Lack of minutes secretary and how to resolve

The Executive agreed that all efforts be made to fill the position of Minutes Secretary at the upcoming AGM. Radge Diakiw advised the Executive that interim solution of one of the delegates at the meeting (in the first instance Peter Gibson) providing a first draft was a great help but the ideal outcome would be to have a Minutes Secretary preparing the minutes.

7. Website redevelopment

The Executive endorsed a proposal that Peter Gibson, in conjunction with Steve Samuels apply for a \$5,000 grant from the Office of Rural Affairs to redevelop the NSWCFCA website. As part of the proposal, Peter Gibson has nominated to build the new site. The grant monies will be used by him for this purpose and to purchase more appropriate web software.

The Executive noted that this was a one off grant for redevelopment of the website rather than ongoing maintenance of the website and that should the application be successful the Office of Rural Affairs would require that the website provide information on recreational angling opportunities in Regional New South Wales.

8. Yabby traps

The Executive agreed that Peter Gibson after consultation with Karl Schaerf write to the appropriate authorities expressing NSWCFCA concerns about unmodified yabby traps.

9. Guidelines for clubs wanting to follow MAS's lead on reserves/trusts

The Executive agreed that Steve Samuels and Peter Gibson prepare a short guide on how to become trustees of reserves. The aim of this guide would be to help other groups become trustees.

10. CAS request for CFA to fight Government Policy on lands.

The Executive agreed that Radge Diakiw ask Karl Schaerf to summarise CAS concern on the NSW Governments policy on lands and present that summary together with actions the NSWCFCA could take for Council consideration at the August Council meeting.

11. Ecofishers re-request on Unity

Steve Samuels advised the Executive that Ken Thurlow of Ecofishers had invited the NSWCFCA to participate in a Strategic Working Group which arose out of the recent Unity Summit conducted by Ecofishers. The Executive agreed to decline Ken Thurlow's invitation politely.

12. 50th Anniversary of NSWCFCA

The Executive agreed that Alan Izzard with help from Rodney Tonkin investigate organising a function to celebrate the 50th anniversary of the NSWCFCA in 2009.

13. Draft Redfin Policy.

Steve Samuels advised the Executive of the concerns expressed by Terry Maloney (SWAA) about the draft redfin policy, prepared by Rodney Tonkin, which was distributed to all delegates in the background papers before the May Council Meeting. Steve Samuels emphasised that the paper was a preliminary draft and that all delegates were being given the opportunity to comment on and refine an agreed draft that would be finalised for NSWCFCA endorsement. The Executive looked forward to SWAA and other interested groups contributing to the development of this draft.

14. Changes to the Associations Incorporation Act.

The Executive noted that changes to the Associations Incorporation Act will come into force at the end of 2009. The Executive agreed that implication of the changes to the Act on the current NSWCFCA Rules (constitution) be reviewed to see what, if any, changes to the NSWCFCA Rules need to be made.

15. Assessment of SKYPE Conferencing

The Executive acknowledged that there were some difficulties in hearing everything said during the meeting. However the Executive agreed that SKYPE conferencing offered the potential of a much more effective way of conducting Executive Meetings particularly if efforts were made to overcome the difficulties encountered in this first meeting.

Close Steve Samuels closed the meeting at 8.40 pm.

Radge Diakiw 29 June 2009

AGENDA ITEM 4.4 Interclub Meet 2010 Report

As reported previously the 2010 Interclub Meet will be held from April 30th to May 2nd

I have set the cost for next year at \$170 which covers two breakfasts, one finger food supper, one dinner and one BBQ lunch; coffee, tea & biscuits are available for the duration; there has been a cost increase to us by our hosts and I have increased our margin slightly. There are no other costs involved as the entry fee includes entry to all drawers for the donated prizes. There will be some silent auctions at the dinner but bidding is optional.

So far I have received donations for next year from John Coles, Bass Lodge & Phillip Weigall.

John Humphries – Meet coordinator

AGENDA ITEM 4.5 Regional Reports

Region 1 Report, North Coast

The Macleay river experienced three floods between January and May which has resulted in siltation in a number of areas as a lot of banks have been eroded. A lot of the weed and vegetation has been ripped out and has disappeared in many parts of the river system because of the huge volume water from the floods.

There have been reports of large bass being caught and retained in spite of the closed season for bass. These reports have not been confirmed although I personally have seen a number of anglers in areas that are home to bass.

Three additional signs have been installed on the lower Macleay in places such as Belmore River and Kinchela. I have noticed that at least one sign has disappeared on the upper Macleay.

Access to the Macleay at the end of the tidal influence has been closed due to erosion from the floods earlier in the year. This was a well used access point and will need to be pointed out to DPI. Access points seem to getting less as each year passes.

Allan Wilcox

Region 4 Report, Monaro

The Region continues to be gripped by drought; however there are some bright spots for anglers. The good fishing in lakes Jindabyne, Eucumbene and Tantangara continues. A highlight is the mid winter fishing currently being experienced in Jindabyne and Eucumbene. Consistent catches of 1 kilo trout can be expected throughout the winter. These three lakes seem to fish better each year and this is a direct result of each lake being administered by the Snowy Mountains Lakes Strategy Committee.

Attachment 1

Queanbeyan Branch of the Monaro Acclimatisation Society (MAS) recently approached National Parks in an effort to have them waive the \$27 launching fee imposed on anglers using the Creel Bay launching ramp on Lake Jindabyne. The initial response from National Parks was not encouraging. Queanbeyan Branch has asked MAS to intervene on angler's behalf. At this time the MAS is negotiating with the relevant stakeholders to see if a better outcome can be achieved.

Reports from Gaden Hatchery indicates that the spawning run of brown trout was successful. Gaden was able to lay down the required brown trout ova and reports a good run of rainbow trout is entering the river.

MAS has been gazetted as the trustee for the Paddys Corner Reserve, located on the bank of the Thredbo River immediately downstream of Gaden Hatchery. Negotiations are continuing on a number of other reserves on the River.

The attempt by a local landholder to close access to the Thredbo River at Forrester's Lane is still unresolved. NSW Fisheries and Lands Dept are continuing to investigate the reserve and road status. It is hoped that this situation will be resolved soon.

Steve Samuels

Region 5 Report - Central West

As we are all aware the drought is still with everybody except the north east coastal region. Water levels in the inpouments in the central west are:

- Carcoar 7%.
- Wyangla 6%.
- Burrangong 18%.

As we all know this means the storages are near enough to empty.

C.A.S. held its Annual Meeting on the 25/7/09. The outcome as follows:

- President. Tom Williams.
- V/Presidents A Andrews and G. Hamilton.
- Secretary K. Schaerf.
- Tresurer T. Rowling
- Publicity Officer B. Dobbie.
- Delegates to C.F.A. T. Williams, B, Williams, A, Andrews, D, Barton, B, Dobbie, T, Rowling, K, Schaerf.

We all hope for good spring rains, as we will have no water next summer at all.

Golden Gully: Tom Williams met with Blayney Council on site to discuss the problem, still on going at this stage.

Thank you all
Tom Williams

Attachment 1

Region 6 report, South West

ILLEGAL REMOVAL OF SNAGS FROM THE MURRAY RIVER

The prosecution time limit is nearly up and the SWAA is very concerned as to the time taken to bring these people to justice. If there are any updates from DPI please pass them on.

Maybe the Federal Government should look at this instead of sustainable logging at Deniliquin NSW

Update August

Cameron Westerway has advised us that this brief has been passed onto the Public Prosecutors office and that it is now in there hands.

Perfect Parrot OR National parks

Federal Minister for the environment Peter Garrett's CLOSURE of logging at Deniliquin (on the Murray) is nothing short are Hypocrisy as not three weeks ago the NSW Auditor General released a report into the Logging industry in news on 29 April 2009. The Auditor General found NO adverse findings in the Forestry industry operations. With bird life living in harmony and thriving in larger numbers. So why did Peter Garrett Lock up these Red Gum Forests, simply to feed the green movement in there effort to Lock up both sides of the Murray. This was not done with any consultation of the people who live, work and raise their families around and from these forests.

THIS IS THE FIRST SHOT FIRED BY A CUNNING EXSTEME GREEN

Update August Extract

(A brief update on the Rivers and Red Gum Alliance activities. Chris Beale and Terry Maloney represented the SWAA at a meeting of the Alliance held at the Council Chambers in Deniliquin. The meeting was well represented by the timber industry, local government and various other interest groups. It was pleasing to see Robert Brown (Shooters Party MLC) again supporting the cause, and also John Williams (Member for Murray Darling) who has become a very strong supporter of the rights of the local industry and the general public in retaining their rights in this matter.

In contrast to the Victorian fight, we do have some very strong support from local Councils and some very prominent political representatives in getting a common sense result on the NSW side of the border. To resist the proposals to declare these areas National Parks and retain the present management that has been successful for the past 150 years. The declaration of National Park status would

severely restrict access, camping etc for anglers and other outdoor recreation users and create fire risks that only people at Kinglake can imagine. Together with the demise of a sustainable and well managed timber industry, the region would be left to "lock it up and leave it" management style that has failed in areas that have been managed in this manner for several years.

Attachment 1

These red gum proposals are the inland version of the flawed marine park proposals that are invading the entire coast line of NSW and must be rejected by all people with a modicum of common sense before we lose all of this state to the extreme green idiots that have invaded all levels of government.

We have science on our side, but that has not been enough to stem the tide in Victoria. The real results can only be at the ballot box and efforts now must be to influence politics. However in saying that the end result will always be about the facts.

What do we need to do?

In the first instance we need to gather the united voice of ALL recreational fishers in the state to express their concerns to politicians of all colours and point out to them that we vote and intend to retain our right to enjoy our recreational pursuits in our state, be that coastal or inland.

Second we need to raise the profile of our membership and get more press coverage of these events by whatever means that it takes.

Terry Maloney

Draining Lake Mulwala

There are some concerns from locals that many fish will be taken whilst the lake is draining to get rid of the fish tank weed.

Having been down there on Sunday 10th may and seen first hand the absolute take over of the weed the draining can't come soon enough. MAY THERE BE MANY FROSTS.

On a lighter note as a member of the Murray Darling Basin Living Murray Hume to Yarrowonga (Re Snagging) Angler Monitoring Program DPI put on a fun day so all of us could get together fish and enjoy a BBQ lunch .And there were many fish caught

My summary of the fish caught and released/killed

Redfin	30+	biggest 370mm /6 pounds
Yellow belly	4	biggest 470mm
Murray Cod	23	biggest 680mm three over 600 the rest between 580/350
Cod Line	100mtrs	

Update August

This appears to have worked very successful and is back up to 50+%. Most of the weed appears dead or stunned (bloody stinks) However there was reports locally of many undersized fish taken in large quantities (poached). Catch 20 or more then rush them up the bank into a vehicle which hastily left the scene. Next time the Lake Mulwala is drained it must be closed and enforced by DPI officers.

Also the SWAA tried to get one single branch removed as an O.H.S job at the Kiffens Reserve on Lake Mulwala but only met with red tape and stalling tactics. Plus the fine was \$190k if we had gone ahead with it. Big difference from \$70k to put back 410 stumps just down the river a few miles.

SUMMER COMP SWAA
Invitation to all NSWCFAs MEMBERS

SOUTH WEST ANGLERS ASSOCIATION
ANNUAL SPRING COMPETITION
28, 29, 30 AUGUST 2009
SMITHERS BEACH.

HOST CLUBS.
BERRIGAN, TOCUMWAL, SOUTHERN RIVERINA HUNTING CLUB.

SMITHERS BEACH IS ON THE MURRAY RIVER, BETWEEN BAROOGA
AND TOCUMWAL
SEE MAP ATTACHED.

PROGRAM:

COMPETITION COMMENCES AT 12 NOON ON THE FRIDAY 28th
SAUSAGE SIZZLE AND WELCOME AT 6.00pm FRIDAY 28th
MEAL AND ENTERTAINMENT (raffles etc) 6.00pm SATURDAY
OFF THE WATER 11.30am SUNDAY 30th
WEIGH-IN AND PRESENTATION OF PRIZES ETC at 12 NOON
SUNDAY

Fishing will be permitted all weekend to allow fishing and craying at night.

CLUBS PLEASE NOTE

REGISTRATION WILL BE \$20.00 PER COMPETITOR AND WILL
INCLUDE 2 MEALS
ALL COMPETING CLUBS ARE ASKED TO SUPPLY SOMETHING
FOR PRIZES OR RAFFLES TO VALUE OF \$40.00
A PERPETUAL TROPHY FOR THE MOST SUCCESSFUL CLUB
WILL BE AWARDED THIS YEAR FOR THE FIRST TIME AT THE
SPRING COMPETITION.

VRFISH liaison Report

My apologies for not being able to attend the A.G.M however I wish the new Executive all the best for the coming season. Just a few points I would like to list on the agenda;

1 The redfin saga.

Victorian anglers and V.R. fish are opposed to list redfin on the pest species list for the simple reason, redfin in Vic is a heavily targeted species. The issue of redfin carrying a disease that may carry over to native species is disputed by the Victorian Fisheries. This leaves me with a strong point of disappointment that the two states still are not willing to share information or work together on simple issues like this one

2 Macquarie Perch

V.R.fish along with Native Fish Australia and Fisheries Vic are promoting to establish a new Macca fishery within Vic., a very exciting program. (Details available on the V.R.fish web media release 17th July 2009). I would like to urge all Fisheries to share information where ever possible to support one another for the breeding, research and policy development for a better outcome of the survival of the Macca

3 Salt dump in the Murray River

It has come to our attention through the media that the Albury paper mill Norse Skog are planning to dump 1500 tonnes of salt into the Murray River. A spokesman says “ it will have no negative impact at all” It is my personal believe, any extra addition of salt is a setback for the already stressed river. I would like to see an independent study on the impact of the release being done which include Fisheries. Surely it must have some impact on the insect live and ecosystem of the river

Ben Nieuwerth

AGENDA ITEM 6.2

Redfin Policy

Below are 2 drafts of a proposed NSW CFA policy paper on Redfin. The first draft was developed by Rodney Tonkin and was adapted taking into account comments on an earlier draft that was circulated to Council members for comment. The second draft was developed in response to the R Tonkin draft by SWAA.

Draft Policy Statement - Redfin Perch – R Tonkin Draft

Background

Redfin Perch, or more commonly referred to as Redfin (*Perca fluviatilis*), were introduced into Australia during the 1860s. Originating from Eurasia, Redfin have become widespread throughout the cooler waters of New South Wales, Victoria, South Australia and Tasmania. Redfin expansion in NSW is continuing, and the species is still finding its way into niche waters in which to live and breed.

Redfin have the capability to deposit thousand of viable eggs, laid in a glutinous ribbon, from every mature female during the spring period, and their capacity to seek out or be transmitted to still or slow flowing waters is assisting their spread. It has been suggested that Redfin eggs are even transmitted on the feet of birds that frequent infected waterways. The eggs which hatch in 1 to 3 weeks are unpalatable to other fish and hence their survival to hatching is enhanced.

Without significant predation, Redfin have the capacity to reproduce to the point where an insufficient food supply for an over abundance of fish results in fully mature pigmy-sized Redfin of not more than 10 centimetres in length infesting waterways to the exclusion of most other fish species. Redfin have a wide dietary preference and consume juvenile fish, worms, crustaceans, molluscs and insects. This species can tolerate water temperatures to at least 31°C.

Redfin are the main host for Epizootic Haematopoietic Necrosis Virus (EHNV): Epizootic meaning an illness affecting animals; Haematopoietic meaning to do with organs of the blood such as liver and kidneys; Necrosis meaning death of those organs and tissue. This virus, unique to Australia, was first isolated in 1985 in Redfin. It is characterised by sudden high mortalities of fish displaying breakdown in renal tissue, liver, spleen and pancreas. Once EHNV has been recorded in a water body it is considered impossible to eradicate.

In scientific trials EHNV has been demonstrated to be fatal to Macquarie Perch, Silver Perch, and native Galaxias. It also has the potential to cause high mortality in introduced recreational species such as Rainbow Trout. A trial reported in a paper titled “The relative efficacy of stocking fry or yearling rainbow trout into large impoundments dominated by redfin perch in south-western Australia” (Molony BW et al, 2004), found 20,000 fry released into Lake Navarino were no longer able to be detected after just 60 hours, suggesting their total mortality by this predatory fish.

Attachment 1

Considered a recreational fish in Victoria, because they are relatively easily caught and when of sufficient size considered a good table fish, in NSW Redfin are identified by the NSW Department of Primary Industries as a major pest fish.

It is illegal to use Redfin as bait, and to stock and/or translocate them into NSW waters. There is no bag or size limit for Redfin and it is recommended that fishers do not return any to the water when caught.

Policy

NSWCFA recognises that total elimination of Redfin is not currently possible. However, because of the threat to many species of our native fish and the ability of Redfin to pollute fisheries by over populating waterways, producing only pigmy sized fish, the NSWCFA seeks a solution in recommending that

- Anglers in NSW are encouraged to fish for Redfin as a way of helping to reduce populations. While Redfin are a declared pest species, it is acknowledged that large Redfin have good eating qualities and are relatively easy to catch:
- NSW DPI should research and find a means whereby Redfin concentrations can be significantly controlled:
- NSW DPI should strive to eliminate reported new discoveries of Redfin in waterways hitherto free from Redfin, especially where vulnerable native species may exist:
- NSW DPI should maintain with their Victorian counterparts and VRFish to establish a common protective approach regarding Redfin in waterways that are shared or connected to both States: and that
- NSW DPI should implement strategies such as to introduce predatory native fish, to reduce and prevent the expansion of Redfin in NSW waterways.

NSWCFA undertakes to work in co-operation with NSW DPI to

- alert recreational anglers to the dangers posed by Redfin: and to
- formulate management plans that reduce the adverse impact that Redfin have on our recreational fishery.

Redfin Policy - SWAA Daft

NSWCFA recognises that total elimination of Redfin is not currently possible. However, because of the threat to many species of our native fish and their ability to pollute fisheries by over populating waterways, the NSWCFA seeks a solution in recommending that.

Anglers in NSW are encouraged to fish for Redfin as a way of helping to reduce populations. While they are a declared pest species medium to large Redfin have very good eating qualities and are relatively easy to catch.

Attachment 1

NSW DPI establishes research to find a means whereby the spread of Redfin can be significantly controlled:

NSW DPI responds without delay to investigate reported new discoveries of Redfin in waterways hitherto free of Redfin.

NSW DPI negotiates with their Victorian counterparts and recreational anglers in NSW to establish a common proactive approach regarding Redfin in waters within NSW and those common to both States:

and that

NSW DPI adopts and implements strategies without delay to protect the higher mountain streams currently stocked with sporting table fish. Rivers and streams where Red Fin populations form a viable recreational fishery to remain in their current status.

This policy, in regard to Redfin, can only be accepted (unchanged) if it is incorporated into an overarching policy on all introduced species.

This policy on all introduced species must be completed within the next twelve month period by NSWCFR.

Failure to complete this “all species policy” in the given time frame will result in SWAA withdrawing support for any Red Fin specific policy document.

AGENDA ITEM 6 5 Fisheries Management Amendment Bill

31 July 2009

Ms Alice Hardy
Policy/Media Advisor to
Hon Duncan Gay MLC
Leader of the National Party in the Legislative Council
Parliament House
Macquarie Street
Sydney 2000

Dear Alice

Thank you for asking for our thoughts on the Fisheries Management Amendment Bill 2009.

Although the NSW Council of Freshwater Anglers is recognised as the main representative organisation for freshwater anglers in NSW, we have not been consulted about the drafting of the Bill (despite Lylea McMahon's claim in her 'agreement in principle' speech to Parliament that there had been extensive consultation with stakeholders). Accordingly we are grateful for this opportunity to make comments, even though it is late in the process.

We agree generally with most of the changes in the Bill, but would like to make several points. For your convenience we have provided a comment on each point in the Overview of Bill:

- '(a) to increase penalties for certain fisheries offences**
- (b) to establish higher penalties for certain second or subsequent offences and for certain offences committed in circumstances of aggravation,**
- (c) to allow additional monetary penalties (to reflect the market value of fish taken) to be imposed in respect of certain offences,'**

We are concerned that current penalties are not being applied by courts, and see little point in increasing penalties if the full power of current penalties has not been exhausted. Any increase in penalties seems to be just window-dressing, giving the impression that the government takes fisheries offences seriously, when in reality the penalties imposed by courts are often a fraction of the penalty available.

We also note that one of the strongest deterrents to recreational fishing offences, i.e. publication of offenders' names, is not used in NSW. Fisheries offenders should be

'named and shamed' once convicted. This would be a far more effective deterrent than fines, especially in the regional communities where most offences occur. Our past appeals to the NSW government for this to happen have been ignored.

Attachment 1

**'(d) to extend regulation making powers in the principal Act relating to bag limits, prohibited size fish and other matters,
(e) to create a new indictable offence of trafficking in fish,'**

We generally agree with these amendments.

'(f) to recognise, protect and promote Aboriginal cultural fishing activities and Practices'

The meaning of this amendment seems vague. While recognising that Aboriginal fishers do have traditional practices that are of cultural, social and economic importance to them, we are not convinced that those practices should automatically be permitted. Rules and regulations have been established to protect and sustain the fishery because of indisputable past damage, fishing pressure and environmental decline, and we do not believe any section of the community should be permitted to fish outside those rules and regulations.

**'(g) to make further provision with respect to share management fisheries,
(h) to tighten record-keeping requirements for fish sellers and for others who take possession of fish,
(i) to extend the circumstances in which charter fishing arrangements are required to be licensed,
(j) to give effect to a uniform national scheme relating to Commonwealth cooperative fishing arrangements,
(k) to make further provision with respect to the grant of aquaculture permits and leases, and for the recovery of rental payments on aquaculture leases,
(l) to authorise quarantine orders to be made in respect of pet shops and commercial aquariums,
(m) to transfer from the regulations to the principal Act the list of diseases and noxious fish and marine vegetation that are the subject of the regulatory arrangements under the principal Act,
(n) to give the Minister further powers with respect to quarantine areas'**

We generally agree with these amendments.

'(o) to make further provision for the protection of areas where salmon and trout Spawn'

We agree with this amendment, however we are concerned that similar amendments have not been included to protect areas where native fish spawn. We have been in discussions with NSW DPI for several years on this issue, and the last advice we received from them (in 2008) was that legislation to protect areas where native fish spawn was being drafted. We are dismayed that this apparently has not occurred.

(p) to prohibit the importation of live marine vegetation that is not indigenous to New South Wales,
(q) to require notice to be given to the Minister of certain works that affect waterways,
(r) to authorise the making of stop work orders to prevent certain activities that may damage fish habitat or obstruct free passage of fish,
(s) to create a new offence of interfering with fish of a threatened species and to make further provision with respect to the protection of threatened species generally,
(t) to give further powers to fisheries officers to require information for the purposes of the principal Act,
(u) to impose a duty on the master of a fishing boat to prevent contraventions of the principal Act,
(v) to increase the jurisdictional limit of a Local Court under the principal Act,
(w) to enable restoration orders to be issued in respect of certain contraventions of the principal Act and to expand the types of orders that can be made in respect of repeat offenders'

We generally agree with these amendments.

(x) to make other miscellaneous amendments relating to the management of fishery resources.

We generally agree with the miscellaneous amendments with the exception of the following amendments:

Schedule 1 [58] provides that money paid into various Trust Funds (such as the Commercial Fishing Trust Fund and the Recreational Fishing (Freshwater) and (Saltwater) Trust Funds), which comes mainly from fees and charges paid under the principal Act, can be used for taking measures to maintain and protect the fisheries, in addition to measures to enhance the fisheries, as is currently the case.

Schedule 1 [31] makes a consequential amendment to extend the purposes of fishing fees to enhancing, maintaining and protecting recreational fishing.

This amendment seems to open the door for further cost shifting by the government, allowing it to use funds collected by the trusts to pay for core activities that should be paid by the government.

Anglers understood that the original purpose of the trusts was to collect funds which could be applied to enhance the fisheries, at the discretion of anglers. However over the last few years there has been an increasing tendency for the government to raid those trusts to pay for non-discretionary, core activities of the DPI, including capital expenditure on government owned assets (such as using approximately \$240,000 of trust funds to build sheds at Gaden Trout Hatchery), operating costs of government owned assets (such as the 2008 arrangement for the trusts to either totally fund the operation of Gaden Trout Hatchery or have it closed down altogether) and the ongoing use of trust funds to pay the salary costs of fishing inspectors and other fundamental staff positions.

One explanation to us for this amendment was that inserting the words “maintain and protect” would enable the trust funds to be used to bring legal actions and for paying legal fees, e.g. funds could be used if recreational anglers wanted to take court action against commercial fishers or some other body. But even if the amendment does facilitate that additional flexibility, we are still concerned that it also creates a situation where the DPI can broaden its opportunities to rely on trust funds to pay for its core activities.

The issue of what is a core activity that should be funded by government, and what is an enhancement or discretionary activity funded by anglers is a vexed one. It is further clouded by DPIs apparent inability to produce a transparent, financial management plan showing how it intends to apply money it receives from government budget allocations, even though the trust funds do have long term financial management plans.

Please call me on (02) 62417957 if you have any further queries or if any of our comments need clarification or further explanation.

Yours sincerely

Steve Samuels
President