



New South Wales Council of Freshwater Anglers Inc

Statement August 2008

What is needed for freshwater fishing in NSW?

Recreational freshwater anglers in NSW have mostly enjoyed a cooperative and productive relationship with government. The professionalism of fisheries managers, commitment of anglers, advisory processes in place, implementation of an angling fee system and the consultative approach to expenditure of those fees have supported a recreational fishery that is in the main productive and sustainable.

However in the past few years cracks have started to appear in the system and the NSW Council of Freshwater Anglers believes some problems need urgent attention.

Funding of recreational angling

- The recreational fishing fee should be continued.
 - The NSW CFA fully supports the recreational fishing fee subject to:
 - the revenue generated being returned to fishery management, research and conservation via the recreational fishing trusts, with a maximum of 10% of the revenue used for administration of the trusts.
 - fishing trust funds being spent at the discretion of anglers.
- Funds in the recreational fishing trusts should not be used to fund core activities of the NSW Department of Primary Industries.
 - There is a growing concern that management activities and investment in infrastructure that used to be funded by the State government are now funded by the licence-funded recreational fishing trusts.
 - Anglers, rightly or wrongly, understood that the trusts would be used to fund projects that the government had not been able to fund in the past.
 - Instead, a growing list of 'core' projects and activities seems to be funded by the trusts, including upgrading of buildings at Gaden Trout Hatchery, water cooling systems at LP Dutton Hatchery and bass catch data collection programs.
 - Existing legislation gives no protection from a government that wants to 'raid' the trust funds. There needs to be clarification of what should be 'core funded' by the government and what should be funded at the discretion of the trust fund expenditure committees.
- Significant infrastructure such as the Gaden Trout Hatchery and LP Dutton Trout Hatchery should continue to operate as government owned assets and should not be sold into private hands.
 - Both these hatcheries were built and operated by amateur fishing associations (LP Dutton Trout Hatchery in 1952 and Gaden Trout Hatchery in 1953) but both were handed over to Fisheries in 1959. We understand from sources within NSW DPI that there is continual pressure to offload these assets to private enterprise, or to shut them down and rely on private hatcheries for fish stock. We believe that private operators would be less likely to support commercially unprofitable (but extremely important) activities such as stocking of public waters and maintenance of disease free stocks of salmon and brook trout.
- All penalties from fisheries prosecutions should be used for fisheries management purposes.
 - Penalties income should be used to make good the damage caused by illegal activities.
- The NSW Department of Primary Industries should allocate sufficient resources to recreational angling.
 - Recreational fishing is threatened by the loss of senior scientific and management staff through 'voluntary redundancies'. We fear that budget overspending is resulting in abandonment of key permanent positions to save money. We deplore the loss of the corporate knowledge and experience that are essential for properly coping with the department's responsibilities.

Support for recreational angler representation

- There should be an angler-elected peak body for NSW recreational anglers
 - The Advisory Council on Recreational Fishing, a body appointed by the NSW Minister for Primary Industries, is supposedly the peak body for recreational anglers, and is recognised by Recfish, the national representative body for anglers, as the peak body. However ACORF is not democratically elected, and does not effectively communicate with anglers about state angling issues, let alone national issues.
- Recreational angling representation and advocacy in NSW should be financially supported by the government.
 - As one of the highest participant recreational activities in NSW, angling deserves proper support by the government, including financial support for a paid representative structure. Lack of government support for coordinated representation leaves recreational angling fractured and unable to respond properly to the government and public.
- The NSW government should recognise one angler-elected organisation as the peak recreational angling body.
 - Recognition of one peak body in NSW would enable the government to focus its consultation with recreational anglers more efficiently, and would enable recreational angling organisations to effectively get consensus from members and present their views to government. The NSW Council of Freshwater Anglers believes that the Recreational Fishing Alliance of NSW is the most appropriate body to take on such a role and it should be recognised and supported so that it can build momentum and provide well governed angler advocacy.
- Recreational angling should be recognised as a sport by the NSW Department of Sport and Recreation.
 - We understand that the Department does not fully recognise recreational angling as a sport, mainly because it is not considered a competitive activity. The Department should broaden its recognition and support of recreational angling.

Administration of advisory councils and committees

- Angler-elected representatives should be included on the Advisory Council on Recreational Fishing.
 - Appointments to the Advisory Council by the Minister of the day are undemocratic and allow the government to load the Council with voices it prefers to hear, instead of voices that truly represent the stakeholders.
- Chairs and deputy chairs of councils and committees should be elected by committee members.
 - NSW DPI's automatic appointment of individuals to head councils and consultative committees is destroying angler confidence in the expertise, objectivity and transparency of those bodies.
- Council and committee members should adhere to a strict code of conduct.
 - It is not unreasonable for council and committee members to have vested interests in commercial aspects of recreational fishing—some of these people have considerable experience—but a code of conduct should be followed and a practice manual developed that covers conflicts of interest as well as members' responsibilities to their constituents.
- Council and committee members should be required to demonstrate that they have communicated with anglers in their constituencies.
 - Council and committee members are being appointed and in some cases re-appointed without being scrutinised for one of their supposed important qualities: the ability to communicate effectively with their constituents in the angling community. Appointees should have to demonstrate that during the period of their appointment they have consulted with their constituents and communicated the decisions of councils/committees back to those constituents.
- There should be a long term strategic plan for management of the revenues received and held in the recreational fishing trusts.
 - According to appointees to the recreational fishing trusts there seems to be no long term plan of financial management, which is sorely needed because of the unusual cyclical nature of revenue and expenditure and the budget pressures on NSW DPI.
- Projects funded by the recreational fishing trusts should be reviewed and monitored to ensure that they meet objectives and are completed in the time frames specified.
 - We see little evidence that projects funded by the trusts in the past are properly reviewed and monitored to make sure they are completed on time.
- Joint budget meetings should be reinstated for the Recreational Fishing Saltwater Trust Expenditure Committee (RFSTEC) and the Recreational Fishing Freshwater Trust Expenditure Committee (RFFTEC).
 - The two trusts used to meet jointly for one day before their individual meetings, giving them a chance to compare views on joint or similar expenditure proposals. This practice has stopped, meaning that the committees have to make decisions on similar and related proposals without knowing the thoughts of the other committee.

- Notices and agendas for RFSTEC and RFFTEC meetings, including expenditure proposals, should be sent to representatives in time for them to consult their constituents prior to the meetings.
 - The Fisheries Management Act 1994 No 38, Part 8, Division 3 , Section 238A (General provisions relating to consultation on expenditure from trust funds) states:
 - The following provisions apply for the purposes of consultation with an advisory council that is required under this Division with respect to expenditure from a trust fund:*
 - (a) the Minister is to provide the advisory council with a draft expenditure budget,*
 - (b) the Minister is to give the advisory council at least 1 month to make any recommendations about the draft budget*
 - We interpret this to mean that members of ACORF and its expenditure sub-committees should be given more adequate notice (i.e. at least one month) to preview the projects. This is definitely not occurring.
 - There are increasing complaints about the lack of time that members of ACORF and its sub-committees get to consider expenditure proposals. This year members have complained that they only got the agenda and supporting paperwork a few days before committee meetings. This does not allow them any opportunity to review the proposals thoroughly, let alone canvass the opinions of their constituents that they represent.

- Minutes of meetings of advisory councils and committees should be published promptly, within two weeks of the meeting.
 - It is taking up to a year for ACORF and its sub-committees to publish minutes of meetings online, supposedly because the minutes need Ministerial approval. This is entirely unacceptable and leaves the angling community completely in the dark on recent decisions. The lack of timely information means that clubs and associations are unaware of decisions that might affect current and future proposals and initiatives.

- Advisory councils and committees should adhere to a regular schedule of meetings.
 - Angling clubs and associations are losing confidence in a consultative structure that does not always operate to a predictable schedule and respond in a timely manner to their proposals and applications.

- Vacancies on advisory councils and committees should be filled promptly.
 - Delay in filling vacancies on advisory councils and committees has occasionally delayed sittings of those bodies. Vacancies should be filled quickly, the public should be notified immediately and the bodies should continue to meet on schedule.

Recreational fishing access

- Recreational anglers should have reasonable access to all public waterways, such as a 20 metre buffer zone for walking access on all crown and freehold property.
 - NSW law currently allows freshwater anglers access to the bed of the stream, ie the area between high water marks. This provides practical access in many locations but in others, where the waterway has deep water, steep banks or other obstructions, a more generous and practical access zone is needed. We believe that the 'bed of the stream' zone should be extended to an area that provides 20 metres of practicable walking access.
- When crown land is converted to freehold or its usage changes, provision should be made to set part of the land aside to ensure continuing public access to recreational angling locations.
 - Changes from crown land to freehold often rob anglers of legal fishing access. When crown land is converted to freehold a reasonable walking access zone should be preserved on the property title deed.
- Where access along the river bank is not practical walking access should be allowed by the most direct route across the land from the nearest public access point, or via a route negotiated with the land owner.
 - Access to public waterways should not be prevented by the topography of privately owned land nearby. If reasonable access is not available along the bank of a stream, it should be possible for the public to negotiate with landholders for perpetual access via the shortest direct practical route to the waterway.
- Recreational anglers should have access to water authorities' water storages where there is clearly no environmental or health risk.
 - This is already allowed in some established fisheries such as Oberon Dam and Grahamstown Dam and apparently will be allowed in some future water storages including Tillegra Dam. But other impoundments, especially those in the Sydney region, remain off limits to recreational fishers.
- Recreational angling access in national parks should be maintained and preserved.
 - Many of the most popular recreational fishing locations in NSW are within national parks, and the number and extent of national parks is increasing. Numerous vehicle access points are being closed depriving anglers of important fishing access.

Fishing regulations

- Names of offenders for fisheries offences should be published in media releases and on the NSW DPI's website.
 - 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 many offences occur.
- There should be uniform bag and size limits and regulations in shared or similar fisheries across state borders.
 - There are unnecessary contradictions and inconsistencies in fisheries regulations across border fisheries such as the Murray River. Regulations should be consistent so that anglers can fish either side of the border secure in the knowledge that they are not breaking the law.