

The Recreational Fishing Alliance of NSW

Promoting Sustainable Fishing



2 June 2020

The Hon. Adam Marshall MP
Minister for Agriculture and Western New South Wales
GPO Box 5341
SYDNEY NSW 2001

Cultural fishing on the NSW South Coast

Dear Minister,

The Recreational Fishing Alliance of NSW is seeking urgent answers to the recent approval of cultural fishing on the NSW South Coast. The RFA's position on cultural fishing remains unchanged since 2015, and we still firmly believe it should occur if "the rules and regulations surrounding fishing can be relaxed without harming the general health and sustainability of the fishery". Without fully understanding the background to this recent activity, we have serious concerns.

The RFA understands that there has been no local community consultation about a process that involves the weekly and overnight setting of nets to secure up to 4 fish boxes (approximately 80 kg) of mixed fish to feed the local indigenous elders and community.

The RFA is generally supportive of cultural fishing, for example the process to allow such activities in the Botany Bay Recreational Fishing Haven during the annual mullet run. That activity was supported by the local fishing club and meetings were held between all the stakeholders, facilitated by NSW DPI. The ongoing process of reporting, approvals and, more importantly, ongoing community support for the event has been well received by all concerned. The permit process was well explained and all details were shared in an open and transparent manner.

The RFA is acutely aware of the current NSW Government position with regards to Aboriginal Cultural Fishing via the "Aboriginal Cultural Fishing Interim Access Arrangement, Section 37 Cultural Fishing Authorities — Special authority to fish outside the regulation, Aboriginal Engagement and Cultural Use of Fisheries Resources in NSW Marine Parks and the Development of Aboriginal Cultural Fishing trial Local Management Plans"¹.

The RFA prides itself on being conversant and familiar with these important issues. However the lack of any updates makes this responsibility difficult at times, and we still hold a view that an active role for groups like the RFA is needed to help develop statewide policies, strategies and action plans for all activities in NSW that involve cultural fishing.

¹ <https://www.dpi.nsw.gov.au/fishing/aboriginal-fishing>
<https://www.dpi.nsw.gov.au/fishing/aboriginal-fishing/cultural-fishing>

This new activity on the South Coast has occurred without any community engagement. It seems this was intentional and will inflame the local fishing community who are already starting to get anxious due to what seems to be a “done deal”. The lack of consultation has fostered ill feeling within the community and will make it difficult for harmonious discussions to occur to get a better understanding of the cultural benefits and resource impacts that this activity might deliver.

As Chairman of the RFA and as President of the main fishing club in the Botany Bay area, I had an opportunity to meet the local indigenous community and discuss their application for a Section 37a permit to beach haul for mullet inside the Botany Bay Recreational Fishing Haven. All my questions were answered by the proponents and NSW DPI. At the time, I knew and reported the following to my stakeholders:

1. The length of nets, the size of mesh, where netting will occur and how it will be deployed.
2. The log on / log off system so the community knows when the netting is occurring.
3. How undersized fish would be treated and how discards of unwanted fish would be managed.
4. How localised depletion would be managed.
5. How localised conflict between the various angling stakeholder groups, caused by the use of nets, would be managed.

I knew all this from constructive discussions over two cups of coffee in a meeting between the local anglers and the local elders, held in a café overlooking Botany Bay. Since then, this process has been well managed and every year the event occurs, I field nonstop phone calls from local anglers—and a short explanation is all that is needed to show that we have been involved and supportive from the very first day. This goes a long way towards removing almost all negative commentary or conflict within the community.

The current process unfolding on the South Coast of NSW is not an acceptable way of bringing communities together. All it has done is drive a bigger wedge between them, and this has occurred with the blessing of NSW DPI. Whatever reason and rationale they might have is unacceptable.

Either the activity is very contentious or there is a complete misunderstanding of how the community would react. A precedent of successful engagement that was set on the shores of Botany Bay has been ignored.

Both indigenous and non-indigenous fishers share similar values around the social and health benefits that fishing provides. What some non-indigenous fishers might lack is the understanding of fishing in terms of connection to ancestors and country, and how it is central to indigenous culture and identity. We have missed the chance to share these values in a community discussion.

Without any intention of criticising the process of cultural fishing, the RFA is simply outlining that the complete lack of transparency has only exacerbated the “outside perception”² of cultural fishing that this process has—and will continue to foster—within the community, unless you intervene as Minister.

² Aboriginal Fishing Values of the South Coast of NSW, Community Report for the Livelihood Values of Indigenous Cultural Fishing Project (AIATSIS, February 2018)

There is a lack of a strategy or available information that would help us better understand the process and assist in better managing the activity. At this point we cannot help manage any concerns that local fishers might have, due to a lack of detailed information or assessment of the process.

The RFA is seeking urgent answers before an escalation of tensions on the South Coast causes the loss of any gains we have made to better understand and better support cultural fishing in NSW.

Yours faithfully,

A handwritten signature in black ink, appearing to read "S. Konstantaras".

Stan Konstantaras
President
Recreational Fishing Alliance of NSW