



14 October 2016

Dear Productivity Commission,

SUBMISSION RE: FISHERIES AND AQUACULTURE DRAFT REPORT

Thank you for giving the Byron Bay Deep Sea Fishing Club an opportunity to lodge a submission relating to the Draft Fisheries and Aquaculture report. As NSW recreational fishing citizens and an Incorporated Byron Bay user group that boasts about 100 members of all ages, our forty two year old fishing club has a significant financial, social and environmental stake in the equitable distribution of fair access to the NSW Marine Estate.

In the first instance this submission supports all responses and comments submitted by the ***Merimbula Big Game and Lakes Angling Club*** relating to the Draft. In addition to their comments, we also refer to the determinations on Fisheries Advisory Groups where the Productivity Commission report stated on page 27:

“There are particular concerns about the use of advisory groups in fisheries, including lack of clarity in their roles, sufficiency of expertise, the adequacy of representation of views and transparency in processes...”

In relation to this statement we couldn't agree more! In fact, our Club has lodged a number of formal complaints and submissions to Ministers of the NSW DPI, Fisheries Planners and MEMA about this exact issue. Complaints lodged because there's sufficient evidence to show that the majority of recreational fishing organisations associated with the Cape Byron Marine Park have been excluded from fair and equitable communications at community engagement level since 2009.

In 2011 the NSW Legislative Assembly Select Committee on Recreational fishing noted failures in Advisory Group processes; Then in 2012 the NSW Scientific Audit into Marine Parks reported similar findings; And now, your Productivity Commission has made exactly the same determination. On three occasions in the last five years the citizens of Australia have financed investigations that defined the weaknesses in the Fisheries Advisory Group structures yet nothing has been done to fix the problem.

Our Club notes Post-Draft submission number DR-69 that discusses some intricacies of the construction and conduct of the Cape Byron Marine Park Advisory Committee (CBMPAC) and the role of Management. Our Club can qualify that one of our life-members with a vast amount of local fishing history, scientific knowledge and expertise in fisheries management was sidelined in favour of a returning recreational fishing advisor that was awarded two, four by four year terms on the committee without any endorsement from any of the local recreational fishing clubs or groups. Another executive member states that he personally withheld his nomination as a direct result of a procedural fairness and natural justice matter that was directed toward him by a senior staff member of the NSW DPI shortly after he lodged an initial expression of interest to sit on the CBMPAC. We also note the nominee of another representative fisher from a different Club whose placement was categorically rejected. Across the broader committee list, our Club is aware of a number of suitably qualified and stakeholder endorsed nominees that were refused positions in favour of poorly qualified or non-endorsed members. Some of whom also sat in the years 2009-2013 when the committee was controlled by the Marine Parks Authority. A Government entity that was disbanded because of it's, "Significant deficiencies in Management, Administration, Zoning and Compliance".

Our Club notes that the operations of the NSW DPI, OEH&S and Marine Estate Management Authority (MEMA) replaced the dysfunctional MPA in 2012 and that MEMA's operational charter to the NSW Marine Estate in 2012 was cited as providing a, "Balanced Approach".

With MEMA's announcement of the 2014-2018 CBMPAC where six out of the ten advisory committee members are being contested, the level of community exclusion that we, and our 100 members are being exposed to is astonishing. Put simply, MEMA's, "Balanced Approach" was never directed toward the fishing citizens of Byron Bay, Brunswick Heads, Lennox Head, the North Coast, NSW, or Australia. A situation that commenced in 2009-2013 and re-commenced in 2014-2018.

To our knowledge, the current status of the CBMPAC can be defined as this:

- SIX out of TEN member positions are being contested
- The role of the CBMP Manager in meetings is being contested
- The selection process is being contested
- The expertise of appointees are being contested
- The adequacy of representation is being contested
- The adequacy of transparency is being contested
- The adequacy of processes is being contested
- The Committee has only sat TWICE since 2014 (despite numerous Marine Park and Fisheries related policies, matters and events)
- Notification of upcoming meetings have NEVER been advertised
- Minutes of meetings have NEVER been made available to the public

These are the experiences of our Club. Put simply, our Club and it's 100 members are of the opinion that fair and adequate stakeholder engagement and community consultation does not exist at CBMP or at a CBMPAC capacity.

Using these frames of reference and our day to day experiences as community stakeholders, we truly hope the Productivity Commission will make recommendations that encourage and nurture the immediate systemic efficacy of Advisory Group structures in the Fisheries and Aquaculture arena and seeks to achieve outputs as defined by our recreational fishing colleagues in Merimbula.

Kind Regards,

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