

Submission and comments extract July 2017.

I am responding on behalf of the New South Wales Game Fishing Association, recreational/game fishing anglers around Australia and myself regarding your email below on the 14th June regarding the upcoming 12th Convention of the CMS.

The New South Wales Game Fishing Association Inc. is the controlling body for game fishing in NSW Waters out to the border of the AFZ. Membership is made up of 26 affiliated clubs with a current membership of 2782 adult and 370 junior (under 16 years) members, total 3152.

Whilst we represent the interests of our member clubs and affiliated anglers we also represent the estimated 40,000 other recreational anglers in open waters fishing for pelagic species.

NSWGFA was founded on the 22nd June 1938 so is 79 years old which is one of the oldest game fishing associations in the world. NSWGFA is affiliated with the Game Fishing Association of Australia which is in turn affiliated with the International Game Fishing Association (I.G.F.A.).

This results in a free and open exchange of many common problems of fish stock management and science of pelagic species common in the World's Oceans.

NSWGFA Inc. is also the major partner with N.S.W.DPI (State Fisheries) in distributing scientific tags for pelagic species in NSW Waters, also all other states of Australia out to the AFZ. This Tag program which commenced in 1973 was organised between the NSWGFA President and the then Director of Fisheries and is recognised as one of the largest and most successful in the World.

Since commencement date till end of June 2016 the grand total of fish tagged was 446,345. Affiliated members provide the means for this valuable scientific program to operate as it is our members who tag the fish at their own cost.

Recreational Game Fishing alone in NSW Waters out to the AFZ is estimated to return a value in excess of four hundred (\$400,000) million dollars per year to the NSW Economy and is also very important to the future of regional communities.

Our sport is predominantly Tag and Release, approximately 93% billfish, 84% sharks, 73% tuna. Taking into account mortality from tagging, 15% billfish, 20% tuna, 2% shark, the impact on stock is negligible and the value to the State and regional communities is invaluable plus the fish is released to be caught again to maintain our sport into the future.

The Blue and Whaler sharks are very important to game/recreational anglers and also are species listed in our game fishing Records, they are also in the Australian (GFAA) and International (IGFA) species lists for records.

We strongly oppose the listing proposals for the Blue Shark and the Dusky (Whaler) Shark under Appendix 11 of the CMS.

Both these species are not under threat in Australian waters and as such the Australian Delegation should NOT support their listing and in fact argue against their listing as it would be detrimental to Australian Citizens rights if they are listed.

Please see attached document from the NSW Game Fish Tournament Monitoring Program which I have highlighted in red the statistics for Blue and Whaler Sharks caught by NSWGFA affiliated members in tournaments in NSW waters out to the AFZ which clearly indicates no issues concerning stock status of these two proposed species in our waters.

At least we are supporting and doing our own science on all the pelagic species so we have correct and undeniable statistics over many years to back our statements regarding the situation in our waters.

Also the two species are already being managed for the game/recreational sector by individual States through strict bag limits and the commercial sector have AFMA Management plans in place so as a Range State Australia already has proper and correct Management plans in place for these species.

I agree with what you state regarding the resultant EPBC obligations of a CMS listing; however, what has happened to the progress of your department acting on the recommendations of the Hawke review?

Item 1 Hawke Recommendation 17.

Recommendation 17 (refer pages 31 and 128 of the EPBC Act Review final report):

“The Review recommends that the provisions of Part 13 of the Act relating to migratory species listed on Appendix II of the Bonn Convention be reviewed and amended to allow the take of Appendix II migratory species, subject to management arrangements demonstrating that the take would not be detrimental to survival of the species. Any such amendments should ensure that the Act provides appropriate protection consistent with Australia’s international obligations.”

The listing of the Blue and Dusky (Whaler) Sharks is exactly the same thing that happened previously with other shark species, Mako, Porbeagle, Hammerheads and Threshers all of which can now be caught, taken and or tagged & released by game/recreational anglers.

As I have stated before the real issue here is fix the EPBC Act, Part 13 and then there is no problem with the intended Listings as Appendix 11.

Again I request what is the Environment Department and the Government doing about this?

If Part 13 is not altered or to be altered before the CMS meeting then I believe the Australian Delegation must strongly oppose the listing of the two mentioned sharks. If the listings are adopted then Australia must submit a reservation as these two species are already managed well in Australian waters.

This will not impact on Australia’s support for international action related to these species, or for shark conservation more broadly. As a signatory to the Memorandum of Understanding on the Conservation of Migratory Sharks (Sharks MoU), Australia will be supportive of considering these species for inclusion under that MoU to facilitate information exchange and cooperative management and research work on the species.

In my opinion all the Countries of the world need to strictly outlaw the barbaric practice of Shark Finning and stop the trade in shark fins. If this happened there would be no need for any CMS shark listings.

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GFAA Inc. Executive Officer (NSW),

Department of Environment and Energy Response 23rd January 2018.

Australia is a range state for five species that were added to Appendix I or II of the Convention:

Christmas Island Frigatebird – Appendix I

Whale Shark – Appendix I

Dusky Shark – Appendix II

Blue Shark – Appendix II

White-spotted wedgefish – Appendix II (otherwise known in Australia as the white-spotted guitarfish)

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) requires that, once listed on either Appendix to the Convention, all species must be included on the list of migratory species established under the Act. Once listed as a migratory species under the EPBC Act, irrespective of whether it is listed on Appendix I or II, it becomes an offence to kill, injure, take or move the species in Commonwealth waters. For an Appendix II listing, this goes beyond the requirement under the Convention that range states endeavour to enter into agreements for these species.

Australia already has strong domestic measures in place for the shark species that were added to Appendix II of the CMS. For example, the dusky shark is subject to extensive management measures in the West Australian fishery

where it is targeted. Stringent measures were introduced in 2006 following evidence of a decline in the species. These measures have been effective in managing the species, with increasing dusky shark catches, coupled with a reduction in fishing effort, demonstrating that recruitment has been increasing strongly since management measures were introduced. Recreationally, the dusky and blue shark, and the white-spotted wedgetfish, are all subject to strict bag limits imposed by State and Territory Governments.

These domestic measures are considered appropriate for the management of these three species within Australian waters, and already go beyond the requirements of an Appendix II listing under the Convention.

Accordingly, Australia submitted a reservation for the dusky shark, blue shark, and the white-spotted wedgetfish that were recently included on Appendix II of the Convention. This means that the listings will not take effect within Australian waters, and the species will not be included on the migratory species list under the EPBC Act.

This will not impact on Australia's support for international action related to these species, or for shark conservation more broadly. As a signatory to the Memorandum of Understanding on the Conservation of Migratory Sharks (Sharks MoU), Australia will be supportive of facilitating information exchange and cooperative research work on the species.

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NOTE:

The NSWGFA, clubs and anglers co-operation to the science supported by the NSW Game Fish Tournament Monitoring Program and the NSW DPI Tag Program is invaluable information which always assists in preparing submissions of behalf of game fishers so please continue to support both these important programs. Without the information provided we do not have science to back up our submissions to protect our rights and our sport.

Both these Programs are funded by the Recreational Fishing Salt Water Trust (**Your Fishing Licence at work**). NSWGFA has also been seed funding the Game Fish Tournament Monitoring Program for the past 3 years and has also pledged support for the next 3 years (Your Affiliation Fees at work).

At last year's AGM GFAA also pledged support for the next 3 years so I am very hopeful the Licence Trust Saltwater Expenditure Committee will approve funding for the next 3 years at the meeting on the 13th & 14th March.

If any club would like a copy of the full submission regarding this matter then please contact grahame@burwell.com.au