



# Marine Estate Management Authority

The Hon. Katrina Hodgkinson MP, Minister for Primary Industries  
The Hon. Robyn Parker MP, Minister for the Environment

Dear Ministers

The NSW Government requested the Marine Estate Management Authority (MEMA) provide advice on an assessment of recreational fishing access on ocean beaches and headlands in NSW marine park sanctuary zones by the Marine Estate Expert Knowledge Panel (MEEKP). MEMA has finalised this task and is pleased to provide this response to you.

The independent MEEKP completed its assessment and provided the following documents to MEMA:

1. Letter dated 14 November 2013 from Dr Andrew Stoeckel, Chair of MEEKP to the Chair of MEMA (Attachment A)
2. Oceans Beaches and Headlands Summary Report
3. Ocean Beaches and Headlands Assessment Report
4. Four technical reports:
  - i. Ecological risk assessment - Assessment of Shore-based Recreational Fishing on Ocean Beaches and Rocky Headlands in Sanctuary Zones in Mainland NSW Marine Parks
  - ii. Social values - 'It's Part of Me': The Social Values of NSW Beaches and Headlands
  - iii. Community values survey - DPI Fisheries Community Values of NSW Beaches and Headlands 2013 Survey Results
  - iv. Economic values - The Recreational Fishing Amnesty in NSW Marine Parks: A Contingent Behaviour Valuation

At its meeting on 18 November 2013 MEMA considered Dr Stoeckel's letter and the reports. In considering this information MEMA took into account the following matters as advised by Dr Stoeckel in his letter:

- The assessment was undertaken in line with the NSW Government's vision for the marine estate and by applying principles and processes in the MEMA paper, *Managing the NSW Marine Estate: Purpose, Underpinning Principle and Priority Setting*.
- Objectives for sanctuary zones and marine parks are yet to be determined by the NSW Government through new legislation currently being developed, therefore three scenarios have been applied to avoid pre-empting these.
- Other marine estate projects and NSW Government reforms may supersede conclusions reached here in the future.

The three scenarios, which span a range of precautionary approaches presented by MEEKP, are summarised in Table 1 identifying the risk criteria and other criteria used (Attachment B).

The outcomes from applying each of these scenarios on the 30 ocean beach and headland sites assessed over the five marine parks is shown in Table 2 (Attachment C) and summarised below:

- Scenario 1 (most precautionary) – fishing allowed at 7 locations and not allowed at 23
- Scenario 2 (somewhat precautionary) – fishing allowed at 15 locations and not allowed at 15
- Scenario 3 (least precautionary) – fishing allowed at 18 locations and not allowed at 12 locations.

While plausible reasons could be found for each of the scenarios, MEMA took into account the matters outlined above and specifically:

1. The NSW Government's vision for the marine estate
2. Incomplete information i.e. knowledge gaps
3. Future clarification of marine park and sanctuary zone objectives
4. Future assessments of community values, and threats and risks
5. Future development of a Marine Estate Management Strategy
6. Future marine park management planning

On balance, MEMA decided to recommend scenario 2, the 'somewhat precautionary' approach, as maximising net benefits to the community as a whole, at this time.

The outcome of this approach is that shore based recreational fishing would be allowed at 15 additional sites on the NSW open coast (97.6% of the total NSW coast would be open to fishing) and that ocean beach and headland sanctuary zones where fishing would not be allowed would comprise 2.4 % of the NSW coast.

Once the NSW Government determines how the assessment recommendations will be implemented, stakeholder consultation and engagement to verify the assessment will be important. MEMA would be pleased to oversee this consultation a part of the coordinated approach to marine estate community engagement.

I am happy to discuss this further if you require.

Yours sincerely



Wendy Craik AM  
Chair  
Marine Estate Management Authority

16 December 2013

Encl.

Attachment A – Letter dated 14 November from Dr Andrew Stoeckel, Chair of MEEKP

Attachment B – Table 1

Attachment C – Table 2

Dr Wendy Craik  
Chair, Marine Estate Management Authority  
GPO Box 5477  
SYDNEY NSW 2001

14 November 2013

Dear Wendy,

The Marine Estate Expert Knowledge Panel has now completed its assessment of the impact of line fishing on ocean beaches and headlands (including spearfishing) for mainland marine park sanctuary zones so you can advise Government on their interim amnesty for those two activities.

Material for the assessment comprises the following;

- Ocean Beaches and Headlands Summary Report
- Ocean Beaches and Headlands Assessment Report which is a synthesis of the four technical reports.
- Four technical reports:
  1. Ecological risk assessment - *Assessment of Shore-based Recreational Fishing on Ocean Beaches and rocky Headlands in Sanctuary Zones in mainland NSW Marine Parks*
  2. Economic values - *The Recreational Fishing Amnesty in NSW Marine Parks: A Contingent Behavior Valuation*
  3. Social values - *'It's Part of Me'; The Social Values of NSW Beaches and Headlands*
  4. Community values survey - *DPI Fisheries Community Values of NSW Beaches and Headlands 2013 Survey Results*

There are three things to emphasise. First, consistent with the NSW Government's vision for the marine estate we have applied the principles and processes adopted by MEMA in the document *Managing the NSW Marine Estate: Purpose, Underpinning Principle and Priority Setting* to deliver on the Government's new approach to managing the marine estate.

Second, the risk assessment that forms part of the evaluation necessitates clarifying objectives for sanctuary zones in marine parks. While these objectives are clear under existing legislation and the Government has announced it wants to maintain the existing six marine parks, the Government has also foreshadowed new legislation to cover the entire marine estate, including marine parks. The final setting of these future objectives is the prerogative of the Government.

To avoid implicitly pre-empting what the new objectives might be, three scenarios described in the summary report have been applied as to whether or not the amnesty should stay in each sanctuary

zone. These span a range of possible sanctuary zone objectives and recommendations under each of these three scenarios have been made.

The third point to emphasise is the above scenario choice may change in the longer term since reviews of the management of marine parks and zones, will be undertaken in the future, under possibly different objectives. On top of that, a strategic review of the entire NSW marine estate has been foreshadowed by applying a threat and risk assessment to environmental, social and economic objectives. That is, all of the issues in this report will be revisited, albeit in a broader geographical and activity context and potentially over the coming years. Decisions made in this assessment on whether recreational fishing will be permitted in the long-term at these sites may be superseded by these forthcoming reviews and assessments.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'A Stoeckel', written in a cursive style.

Dr Andrew Stoeckel  
Chair, Marine Estate Expert Knowledge Panel

Table 1. Scenarios and decision rules for allowing or not allowing fishing

<b>Scenario</b>	<b>Decision rules</b>
<b>Scenario 1</b>	<p>The amnesty will be removed from zones where:</p> <ul style="list-style-type: none"> <li>• ecological risks are greater than low, or</li> <li>• there is already a monitoring program in place, or</li> <li>• significant impacts on other social objectives may occur, or</li> <li>• if there is not <b>already more than one</b> complete no-take zone representing ocean beach and headland habitats in the park, then an additional zone of this type that has the lowest 'cost' to fishing should be included.</li> </ul> <p>Subject to the above, preference will be given to maintaining the amnesty at locations where there is a clear net social benefit from allowing shore-based recreational fishing to continue, compared to other activities.</p>
<b>Scenario 2</b>	<p>The amnesty will be removed from zones where:</p> <ul style="list-style-type: none"> <li>• ecological risks are greater than low, or</li> <li>• there is already long term monitoring program in place, or</li> <li>• significant impacts on other social objectives may occur, or</li> <li>• if there is <b>no complete no take zone</b> that represents ocean beach and headland habitat in the park, then the zone of this type that has the lowest 'cost' to fishing should be included.</li> </ul>
<b>Scenario 3</b>	<p>The amnesty will only be removed from zones where:</p> <ul style="list-style-type: none"> <li>• ecological risks are greater than low, and</li> <li>• there is a moderate or high risk that allowing shore-based recreational fishing could affect long term monitoring programs in place.</li> </ul>

Table 2. Assessment outcomes for all beach and headland sites under the three scenarios

Sanctuary Zone	Habitat/location	Risk to direct habitat effects	Risk to captured fish assemblage	Risk to threatened species	Social risk to line fishers*	Social risk /access conflict	Risk to scientific reference sites	Economic risks to fishers if fishing is not allowed**	Decision under the different scenarios			
									Scenario 1	Scenario 2	Scenario 3	Same under all scenarios
<b>Cape Byron Marine Park</b>												
Byron Bay	Beach: Tyagarah	Minimal	Minimal	Minimal	Low	Low	Low	Low	FISHING ALLOWED	FISHING ALLOWED	FISHING ALLOWED	YES
	Beach: Belongil	Minimal	Minimal	Moderate (birds)	Low	Low	Moderate	Low	FISHING NOT ALLOWED	FISHING NOT ALLOWED	FISHING ALLOWED	NO
	Beach: Wategos The Pass	Minimal	Low	Low (fish)	Low	Moderate	Low	Low <sup>(1)</sup>	FISHING NOT ALLOWED	FISHING ALLOWED	FISHING ALLOWED	NO
	Rocky reef: East Cape Byron	Minimal	Minimal	Low (fish)	Low	Minimal	Low	Low	FISHING ALLOWED	FISHING ALLOWED	FISHING ALLOWED	YES
	Broken Head	Beach and rocky reef	Minimal	High	Low (fish and birds)	Low	Low	Low	FISHING NOT ALLOWED	FISHING NOT ALLOWED	FISHING NOT ALLOWED	YES
Lennox Head	Rocky reef	Low	Minimal	Minimal (birds)	Low	Minimal	Low	Low	FISHING ALLOWED	FISHING ALLOWED	FISHING ALLOWED	YES
The Moat	Rocky reef	Low	High	Low (birds)	Low	Moderate	Moderate	Low	FISHING NOT ALLOWED	FISHING NOT ALLOWED	FISHING NOT ALLOWED	YES
<b>Solitary Islands Marine Park</b>												
Northern Section - southern	Beach	Minimal	Minimal	Minimal	Low	Low	Moderate	Low	FISHING NOT ALLOWED	FISHING ALLOWED	FISHING ALLOWED	NO
Jones Beach /Jones Point	Beach	Minimal	Minimal	Minimal	Low	Minimal	Low	Low	FISHING ALLOWED	FISHING ALLOWED	FISHING ALLOWED	YES
	Rocky reef	Minimal	Moderate	Minimal	Low	Minimal	Moderate	Low	FISHING NOT ALLOWED	FISHING NOT ALLOWED	FISHING NOT ALLOWED	YES
Central Section - northern	Rocky reef	Minimal	Moderate	Low (birds)	Low	Minimal	High	Low	FISHING NOT ALLOWED	FISHING NOT ALLOWED	FISHING NOT ALLOWED	YES
Flat Top Point	Rocky reef	Minimal	Moderate	Low (fish)	Low	Low	High	Low	FISHING NOT ALLOWED	FISHING NOT ALLOWED	FISHING NOT ALLOWED	YES
Southern Section	Beach	Minimal	Minimal	Minimal	Low	Low	Moderate	Low	FISHING NOT ALLOWED	FISHING ALLOWED	FISHING ALLOWED	NO
<b>Port Stephens-Great Lakes Marine Park</b>												
The Pinnacle	Beach	Minimal	Minimal	Moderate (fish)	Low	Minimal	Low	Low	FISHING NOT ALLOWED	FISHING NOT ALLOWED	FISHING NOT ALLOWED	YES
Celito South	Beach	Minimal	Minimal	Minimal	Low	Minimal	Low	Low	FISHING ALLOWED	FISHING ALLOWED	FISHING ALLOWED	YES
Fiona	Beach	Minimal	Minimal	Minimal	Low	Low	Low	Low	FISHING ALLOWED	FISHING ALLOWED	FISHING ALLOWED	YES
Yacaaba	Rocky reef	Minimal	Minimal	Minimal	Low	Low	Low	Low	FISHING NOT ALLOWED	FISHING ALLOWED	FISHING ALLOWED	NO
Zenith	Beach	Minimal	Moderate	Minimal	Low	Moderate	Low	Low	FISHING NOT ALLOWED	FISHING NOT ALLOWED	FISHING NOT ALLOWED	YES
Fingal Is	Rocky reef	Minimal	Minimal	Minimal	Low	Minimal	High	Low	FISHING NOT ALLOWED	FISHING NOT ALLOWED	FISHING NOT ALLOWED	YES
<b>Jervis Bay Marine Park</b>												
Hammer Head	Beach	Minimal	Minimal	Minimal	Low	Low	High	Low	FISHING NOT ALLOWED	FISHING NOT ALLOWED	FISHING ALLOWED	NO
Pt Perpendicular /Crocodile Head	Rocky reef	Minimal	Minimal	Low	Low	Minimal	High	Low	FISHING NOT ALLOWED	FISHING ALLOWED	FISHING ALLOWED	NO
Bowen Island	Rocky reef	Minimal	Minimal	Low (birds)	Low	Minimal	Low	Low	FISHING NOT ALLOWED	FISHING ALLOWED	FISHING ALLOWED	NO
St Georges Head/ Steamers Head	Rocky reef	Minimal	Minimal	Minimal	Low	Minimal	High	Low	FISHING NOT ALLOWED	FISHING NOT ALLOWED	FISHING NOT ALLOWED	YES
<b>Batemans Marine Park</b>												
North Head	Rocky reef	Minimal	Low	Low (fish)	Low	Low	High	Low	FISHING NOT ALLOWED	FISHING NOT ALLOWED	FISHING NOT ALLOWED	YES
Burrewarra (North)	Rocky reef	Minimal	Low	Low (fish)	Low	Low	High	Moderate <sup>(2)</sup>	FISHING NOT ALLOWED	FISHING ALLOWED	FISHING ALLOWED	NO
Burrewarra Point (South)	Rocky reef	Minimal	Low	Low (fish)	Low	Low	High	Low	FISHING NOT ALLOWED	FISHING NOT ALLOWED	FISHING NOT ALLOWED	YES
Broulee Island	Rocky reef	Minimal	Minimal	Minimal	Low	Low	High	Low	FISHING NOT ALLOWED	FISHING NOT ALLOWED	FISHING NOT ALLOWED	YES
Mullimburra	Beach/Rocky reef	Minimal	Minimal	Minimal	Low	Low	Low	Low	FISHING NOT ALLOWED	FISHING NOT ALLOWED	FISHING ALLOWED	YES
Brou	Beach/Rocky reef	Minimal	Low	Minimal	Low	Minimal	Low	Low	FISHING NOT ALLOWED	FISHING ALLOWED	FISHING ALLOWED	NO
Bullengella Lake-Corunna Lake	Beach/Rocky reef	Minimal	Minimal	Minimal	Low	Low	Low	Low	FISHING ALLOWED	FISHING ALLOWED	FISHING ALLOWED	YES

7 FISHING ALLOWED	15 FISHING ALLOWED	18 FISHING ALLOWED	11 sites dependent on scenario used
23 FISHING NOT ALLOWED	15 FISHING NOT ALLOWED	12 FISHING NOT ALLOWED	19 sites result in the same decision regardless of the scenario used

\* Note this relates to the social risk to recreational fishers of maintaining the amnesty – i.e. allowing shore based fishing in these in these areas (estimated from online survey that over 60% of fishers indicated that they supported maintaining the amnesty).  
 \*\* Note this is the economic risks to fishers if the amnesty is removed and fishing is not allowed in these areas.

<sup>(1)</sup> While costs were considered low, this site accounted for the majority of costs associated with restricting access within Cape Byron Marine Park  
<sup>(2)</sup> While costs were considered low, this site accounted for the majority of costs associated with restricting access within Batemans Marine Park