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18th February 2006

The Honourable Ian MacDonald, MLC  
Minister for Primary Industries  
Level 30 Governor Macquarie Tower  
1 Farrer Place  
Sydney, NSW, 2000

Dear Minister,

**Re: dioxins in Sydney Harbour**

Following the announcement of an indefinite ban on commercial fishing in Sydney Harbour AAG's position on the matter is as follows:

- to support any decision made by the Safe Foods Authority, EPA and DPI with regards to public safety in relation to recreational and commercial fishing in Sydney Harbour
- to support a buy-out scheme of commercial fishers in Sydney Harbour such that they receive full and fair compensation for their businesses
- to support zero shift of effort of commercial fishing to other estuaries following the closure of Sydney Harbour either by those fishers with multiple endorsements or by those reentering the business with the purchase of latent licenses.

Having said that, there are a number of issues which are of concern, including:

- We understand that dioxins in marine fauna are tied up in fat or fatty tissues. We also understand that crustaceans, including prawns, don't possess fat. If both of these are correct, then exactly in which tissues or organs are the dioxins present in prawns and other crustaceans? With respect to fish, is it known what tissues or organs that contains the dioxins? Tests are now being carried out on an assortment of fish species, but are tests also being carried out on specific parts and organs of fish such as the liver? Knowing

which organs contain the dioxins may well have resulted in different decisions being made for both the commercial and recreational fisheries.

- Following the elevated dioxin levels in prawns a three month ban on the taking of fish and prawns was implemented. But trawling operations were allowed to continue for the collection of prawns for bait. With dioxins being tied up in the fine sediment, any disturbance would assist in the transport of this toxic sediment downstream. Then there is the question of the use of infected prawns for bait, which can well go to other estuaries infecting other fish. There was also the problem of black marketeering, with bait prawns fetching \$8 per kilo and prawns for human consumption about \$20 per kilo the collection of prawns for bait was not an economic viability for the prawn trawlers. Why was the decision taken to allow the trawling of prawns for bait?

- It appears that high dioxin levels in marine fauna from Homebush Bay have been known since the results of the 1989/90 US EPA survey was published in 1991. TCDD concentrations from this survey gave mean ppt values for gobies of 181.5, bream 65.9, tailor 121.1, prawns 29.0. In an article in the Sydney Morning Herald on 2nd February 2006 Kirsty Needham states that 3 separate reports between 2002 and 2004 indicated the need for testing for fish outside of Homebush Bay, "but Government Departments could not agree on who should fund and coordinate the program". Exactly why was there a delay in testing for fish outside of Homebush Bay? What prompted the DPI to test for prawns in Sydney Harbour that led to the initial ban on prawn trawling (for human consumption) in December 2005? When were these tests on these prawns undertaken?

- NSW DPI is making available \$5.8 million for a Sydney Harbour fishing package, \$5.0 million of which is to go towards a buy-out package for commercial fishers. We understand that the compensation package will be aimed at those fishers in the Estuary Prawn Trawl and Estuary General Fisheries, of which there are reportedly 20 in the EPT, plus 15 in the EG with endorsements in both the Harbour and Hawkesbury. The Daily Telegraph (Feb 5, 2006, p4) has quoted you as saying "I do not want to see commercial overfishing in other areas around Sydney." This was reiterated in the DPI press release of 13th February 2006 which stated " Priority will be given to those businesses with a recent history of operating in Port Jackson. However, to ensure that the harbour closure does not lead to a shift in commercial fishing pressure that could threaten the sustainability of adjacent estuary and ocean fisheries the buy-out offer will be available to commercial estuary fishers across the region." However, The Manly Daily (Feb 15, 2006, p15) has quoted Opposition Primary Industry spokesman Duncan Gay as saying "The measly \$5.8 million will not be enough to buy out commercial fishers whose livelihoods have been destroyed, let alone leave enough money to fund the remaining." Further, we understand that the Government buy-out package will be on a voluntary basis. Why isn't the buy-out package compulsory for any fishing business with an endorsement for any fishery in Sydney Harbour? How can the Government guarantee that there will not be a shift of effort or buy-back into other estuaries such as the Hawkesbury and Pittwater?

- What EIS studies and commissions of enquiry into the remediation of Homebush Bay have been undertaken since 2000? Did any of these look at the new European Union fish dioxin level standards and were the recommendations that the EPA and NSW Fisheries

investigate dioxin levels in fish tissues in Sydney Harbour? Did private consultants Sinclair Knight Merz suggest that if these new EU standards were adopted then commercial fishing would likely need to be banned from Sydney Harbour as well as other waterways in NSW?

- Following on from the last point, are sediments and fish tissue being analysed from other waterways in NSW? If so, then what waterways, if not then why not?

We are aware of the fact that testing for dioxins is a precise and expensive procedure, but with the problem of dioxins in fish in Homebush Bay being known since 1990 where one survey resulted in some species returning levels way in excess of the then considered safe levels, and with subsequent reports 10-12 years later recommending further testing outside of Homebush Bay, one has to wonder why action wasn't taken earlier. We can understand the temporary closure of commercial fishing, but surely knowledge of where the dioxins are stored in both crustaceans and fin fish is a prerequisite to any decision making process. And it beggars belief that trawling operations were allowed to continue for the collection of prawns for bait.

Of major concern is the shift of commercial effort to places like the Pittwater and Hawkesbury that is currently being experienced, and the effects this will have on the viability of the businesses that dominantly operate there as well as the recreational fisheries. And then there is the question of other estuaries along the NSW coast within areas of urban and industrial development?

Yours sincerely

Phillip Ingram

President  
Anglers Action Group