6.10 Boating and fishing

OUR AIM
Visitors enjoy a range of recreational fishing and boating opportunities in a manner that protects Park values and Bininj interests, and minimises risks to public safety.

MEASURING HOW WELL WE ARE MEETING OUR AIM
- Level of visitor satisfaction with fishing and boating opportunities
- Level of Bininj satisfaction with management of and involvement in planning and management of fishing and boating activities
- Extent to which impacts from fishing and boating activities are within acceptable levels
- Number and seriousness of compliance and safety related incidents

BACKGROUND
Fishing is a major recreational activity in the Top End of the Northern Territory and Kakadu includes some of the prime recreational fishing areas. Most fishing in the Park is undertaken by boat, though opportunities are also taken to fish from river and creek banks. The catch and release method of fishing is commonly practised in the Park.

Fishing competitions that involved catching, measuring, photographing and releasing each fish were provided for in the 4th Plan. The management of recreational fishing tours is addressed in Section 6.14, Commercial tour activities.

Under s.354(1) of the EPBC Act fishing and commercial activities are actions that can only be carried on in accordance with this Plan.

Commercial fishing and crabbing have not been allowed in the Park since 1990. Limited transport through the Park of crabs caught by commercial crabbers outside the Park was allowed during the life of the 4th Plan.

Regulation 12.35 of the EPBC Regulations (which operates subject to s.354(1) of the Act and this Plan) allows the Director to make determinations regulating recreational fishing in the Park. In addition, other parts of r.12.35 and other Regulations prohibit certain fishing practices. EPBC Regulation 12.35(4) prohibits taking fish by any method other than with a hook or a lure. As a result, it is not legal to catch small fish for bait with a net in Kakadu. Regulation 12.35(5) prohibits the use of a live animal as bait for fishing, and the use of any native species as bait except fish. Regulation 12.19 prohibits bringing an animal into a Commonwealth reserve, dead or alive, which means that it is not legal to bring fish or other animals into Kakadu for use as bait. Regulation 12.35 prohibits the cleaning of fish within 50 metres of any waterway within the Park. Fish cleaning facilities are provided at a safe distance from the water’s edge at the South Alligator River and East Alligator River boat ramps, mainly to reduce the risk of crocodiles being attracted to these boat ramp areas.

Northern Territory laws, including laws regulating fishing, apply in the Park in so far as they can operate consistently with the EPBC Act and Regulations and this Plan.

Regulation 12.56 enables the Director to control the use of vessels in the Park including where vessels can and cannot be used, speed of vessels, number of vessels, and where vessels may be launched, anchored or moored.

For environmental reasons, a number of waterways within the Park have been closed to recreational boating and fishing under the Regulations (see Figure 8 page 91). These are:
- areas that provide important dry season breeding and refuge sites required for the long-term maintenance of fish stocks
- the West Alligator River catchment which provides an important long-term reference area that has not been subjected to recreational fishing activity
- a section of the Magela Creek system downstream of the Ubirr Road to boating only, and upstream of the Ubirr Road to boating and fishing
- downstream of Yellow Water to The Forks on the South Alligator River; this closure is designed to help minimise the risk of further spread of the weed Salvinia molesta
- Barramundi Creek between the Old Darwin Road and the Kakadu Highway
- areas upstream of the Kakadu Highway (except Djarradjin–Muirella Park, Sandy Billabong and Jim Jim Billabong).

In the interests of visitor safety, the use of non-motorised boats will not be allowed under this Plan (see Section 6.9, Other recreational activities and public gatherings).
ISSUES

- The Park is popular for recreational fishing and boating and there are potential conflicts with wildlife protection, Bininj use of waterways and other management practices.
- Visitors need to be aware of the potential risks associated with boating and fishing. These include the possibility of interactions with crocodiles and encountering unfavourable weather and tidal conditions.
- Boating has the potential to spread aquatic weeds such as Salvinia.
- Appropriate measures are needed to ensure maximum survival rates of fish caught and released.
- To provide clarity and consistency with respect to the management of recreational fishing, bag limits for barramundi and other fish species should be consistent with the Northern Territory bag limits. To protect breeding stock, an upper size limit for barramundi has been suggested.
- During the life of the 4th Plan, there were requests for commercial fishermen to travel through the Park to Coopers Creek, which flows into the East Alligator River, and to transport live crabs and crab-catching equipment through the Park.
- There is limited information available on the level and extent of potential environmental impacts of boating and fishing in the Park.

WHAT WE ARE GOING TO DO

Policies

6.10.1 The Director and Board will work with Bininj and the fishing peak body, the Amateur Fishermen’s Association of the Northern Territory (AFANT) to improve management of fishing and boating to ensure protection of Park values, visitor safety and visitor satisfaction, and respect interests of traditional owners.

6.10.2 Existing closures of areas to boating and fishing in place at the commencement of this Plan (see Background above and Figure 8) will be maintained.

6.10.3 Recreational fishing will be managed in the following way:
- The Northern Territory fisheries laws (at the time of preparation of this Plan the Fisheries Act) will only apply to possession and size limits unless the Director makes a differing determination under the EPBC Regulations; and any licensing system that may be introduced to manage recreational fishing subject to Board approval. Otherwise, recreational fishing may be carried on in accordance with other policies in this Plan and the EPBC Regulations applying to recreational fishing, including determinations made under r.12.35.
- In accordance with the Regulations, the only bait that may be used in the Park is fish caught in the Park. The Board may approve the use of processed bait in some areas of the Park.
- Crabs must not be taken in the Park.
- The use of barbless hooks by recreational fishers will be encouraged.
- Recreational fishing competitions may be permitted subject to guidelines approved by the Board.

6.10.4 The Board may withdraw approval under Policy 6.10.3 if it is considered necessary to more closely manage the impact of recreational fishing. If approval is withdrawn, recreational fishing will require a permit or other authorisation from the Director.

6.10.5 Recreational boating will be managed in the following way:
- Use of non-motorised boats and crafts will not be permitted in the Park.
- The Director may make determinations in relation to the use of vessels, vessel speed limits, limits on vessel numbers and class of vessel, including the size and type of motor.

6.10.6 Further determinations may be made under r.12.56 of the EPBC Regulations to prohibit or regulate use of vessels in areas of the Park including closing areas to vessels and regulating vessel speed limits, vessel numbers, and class of vessel.

6.10.7 Subject to Policies 6.10.8 and 6.10.9, commercial fishing operations, including crabbing, must not be carried on in the Park, including the transport through the Park of crabs and fish, nets, traps and other equipment used for the purposes of commercial fishing.

6.10.8 Commercial fishing vessels (motherships only) may enter the Park for emergency anchoring provided all nets, traps and other catching equipment are stowed and not ready for use, and tenders (dinghies) used for commercial fishing and crabbing are not operated in the Park.

6.10.9 Commercial fishing vessels licensed to operate in Coopers Creek (Arnhem Land) may travel on the East Alligator River between the mouth of the river and the mouth of Coopers Creek in accordance with a permit issued by the Director. Permit conditions will include:
- fish, crabs, nets, traps, dinghies and other equipment may be transported provided they are securely stowed in the mothership at all times while in the Park
- tenders must be towed behind motherships and not be used for the transport of fish products, nets and other equipment.

Figure 8 – Areas closed to recreational fishing

Actions

6.10.10 Develop and implement monitoring programs to assess the level and extent of environmental impacts in waterways subject to high levels of boating and fishing activities.

6.10.11 In consultation with Bininj, develop guidelines for the conduct of fishing competitions. These will cover, but not be limited to:
- location and duration of fishing competitions
- requirements for limits on the number of fishing competitions that may be permitted per year in the Park as a whole and/or in a particular area of the Park
- number of participants permitted
- recording requirements
- safety provisions.

6.10.12 Undertake regular patrols of waterways and fishing activity with Bininj, Northern Territory Fisheries and Northern Territory Police when feasible.

6.10.13 In conjunction with AFANT, the tourism industry and government agencies as appropriate, investigate options for safer fishing locations on waterways.

6.10.14 Provide information to boat users and anglers about safe boating and fishing practices.

6.10.15 Advise boat users on the East Alligator River about the need for a permit before entering Arnhem Land.