

Monday, 15 July 2019

The Mayor  
Councillor Kathy Neilson  
Randwick City Council  
30 Frances Street  
Randwick, NSW 2031

**PROPOSED SPEAR FISHING BAN IN LITTLE BAY  
PRINCE HENRY COMMUNITY ASSOCIATION, DP 270427**

Dear Ms. Neilson,

As the Managing Agent for the Prince Henry Community Association, we are writing you at the instruction of the Community Association Executive Committee.

The Executive Committee, as formally resolved at a recent Community Association Executive Committee Meeting, is seeking to endorse and strongly supports a recent application by Mr. Allen Morris, an owner of a Lot within the Prince Henry Community Association, for the total banning of spear fishing in Little Bay.

Mr. Morris, in his correspondence of 7 February 2019, has outlined his concerns about the poor safety practices of spear fishers using the Little Bay beach area and, as a direct result, his concerns for the safety of the general public using this area.

The Community Association further notes that, especially during the summer months, the Little Bay beach area plays host to a large number of people wanting to use the beach and protected waters. As the development of the Prince Henry Community Association has progressed, the number of residents in and visitors to the area has substantially increased.

Accordingly, the Prince Henry Committee Association endorses and strongly supports the application of Mr. Morris, and a total ban on spear fishing in Little Bay.

We ask that Council considers this matter and forwards this letter, together with Mr. Morris' correspondence of 7 February 2019 to the relevant government department, along with Council's written endorsement for a total ban on spear fishing in Little Bay.

We also request that Council advise the Community Association (care of our office), how Council has addressed / intends to address this request.

Should you have any questions regarding the above, please do not hesitate to contact me on either (02) 8203 3111 or 0439 757 222 or [kathryn@changestrata.com.au](mailto:kathryn@changestrata.com.au).

Yours sincerely,  
CHANGE STRATA MANAGEMENT



**Kathryn Milne**  
senior portfolio manager

cc. Ms. Therese Manns, General Manager, Randwick City Council

31/12 Jenner Street  
Little Bay NSW 2036  
Mobile 0477037701

7 February 2019

The Mayor  
Councillor Kathy Neilson  
Randwick City Council

Dear Mayor,

**Subject: Proposed Spearfishing Ban at Little Bay**

As a concerned Randwick City Council ratepayer, I ask you, as Mayor of Randwick City Council, to please make representations to the Minister for Primary Industries, Lands and Water (New South Wales) to have Little Bay added to the Schedule 6 list of the Fisheries Management (General) Regulations Act 2010 so that it becomes a designated location where spearfishing is banned.

Spearfishing is a popular form of recreational fishing in NSW and it is an activity which can be undertaken safely when common sense and responsible practices are adopted.

The legislative act that regulates spearfishing in New South Wales is the Fisheries Management (General) Regulations Act 2010 and the government body that administers these regulations is the Department of Primary Industries (DPI).

The DPI supports responsible spearfishing in NSW at all times and has issued a number of guidelines about ensuring safe spearfishing practices when spear fishers are out and about. These important safe spearfishing practices include keeping the spear tip covered on land, keep at least 50 metres away from swimmers and snorkellers and avoid busy areas including coastal infrastructure.

The peak spearfishing organisation in NSW, the Underwater Skindiving and Fishermen's Association (USFA) is also committed to safe spearfishing practices and to this end, has a code of conduct that it expects its members to follow. One of the most important sections of the USFA code of conduct is that spearfishers should keep well clear of areas crowded with swimmers or surfers regardless of what fish might also be there.

**The Issue - Public Safety at Little Bay**

Little Bay is a small semicircular shaped east-facing bay, which is 100m wide at its shallow rocky entrance and which is flanked by two small sheltered beaches. Access to these two beaches, which are unpatrolled, is via a single steep narrow timber stairway down a ten to fifteen metre slope to the southern beach.

Little Bay, being well protected from large coastal swells, has become an attractive location for various recreational activities including swimming and snorkelling and is also a popular spot for families to spend time on the sandy shores. Some people have described the waters of Little Bay as being like that of a large ocean pool because the swimming area of the bay is so narrow and confined. It has also become a popular spot for spearfishing with entry into the water via the beaches and rocks at Little Bay.

The general safety issue at Little Bay, to be direct and to the point, is that spearfishers at Little Bay are not following safe spearfishing practices and are putting the safety of the general public at risk.

**Public Safety Issue 1**

To access the water at Little Bay, the spear fishers have to carry all of their equipment including spear guns down a single very steep narrow timber stairway to the southern beach. Very few spearfishers, when using the stairs, have their gun/spear in a lightweight Lycra style bag or wrapping as required under safe practice guidelines – the gun and spears are carried openly by the spearfishers up and down the stairs.

**Public Safety Issue 2**

Once the spearfishers have reached the bottom of the stairs, to get to the water, they either walk around beach goers including children playing on the beach to get to the rocks or in some cases, they just put all of their equipment, including spears and guns, down on the sand near beachgoers.

**Public Safety Issue 3**

After the spear fishers get their equipment together on the rocks or beach, they then enter the water making their way around swimmers. Given the narrow confined waters of Little Bay, it is almost impossible to spearfish and not be within 50 metres of a swimmer. At times, there can be up to 6 spearfishers, carrying loaded spear guns, in the water together, hunting fish, in very close proximity to swimmers in the waters of Little Bay.

It is apparent that the spearfishers using the beaches and waters of Little Bay either have no knowledge that organisations such as DPI or USFA even exist or worse still they are just simply disregarding the safety guidelines. Either way, the close proximity of spear fishers to the general public on the stairs leading down to the beach, on the beach itself and to swimmers in the narrow confined waters of Little Bay is a matter of public safety concern.

It is inevitable that there is going to be a tragic spearfishing incident at Little Bay.

**Requested Action**

As you are aware, in the Randwick City Council area, spearfishing is currently banned at both Clovelly and Gordons Bay. Both of these bays are similar to Little Bay geographically in that they have a small narrow entrance to the ocean and the swimming areas are confined.

It is important that beach goers at Little Bay are able to enjoy the beauty of the spot without their safety being compromised by persons who have no regard for spearfishing safety guidelines.

I am not sure if this is the correct protocol but notwithstanding, I ask that you consider tabling the following motion at a forthcoming Randwick City Council meeting:

**“ That the Council write to the State Government Minister for Primary Industries, Lands and Water (New South Wales) and request that Little Bay be added to the Schedule 6 list of the Fisheries Management (General) Regulations Act 2010 so that it becomes a designated location where spearfishing is banned.”**

Feel free to contact me on 0477037701 if you wish to discuss any aspect of this matter.

Thank you for your time.

Yours Sincerely



Allen Morris