



**Commercial Fishing NSW Advisory Council
(CommFish NSW AC)
Meeting 14, 7 August 2020
Via Teleconference**

Minutes

Members present	Stuart Richey AM	CommFish NSW Chair (Chair)
	Darren Reynolds	A/Group Director – Commercial Fisheries & Aquaculture DPI Fisheries
	Greg Finn	Member – Ministerial Fisheries Advisory Council (MFAC) Commercial Fisher Member – Abalone Share Managed Fishery
	Raymond Saunders	Member – Aboriginal Commercial Fishers
	Mark Cranstone	Member – Lobster Share Managed Fishery
	Mitchell Sanders	Member – Ocean Trap & Line Share Managed Fishery
	Tony Virtu	Member – Ocean Hauling Fishery
	Craig Shephard	Member – Sea Urchin and Turban Shell Fishery
	Steve Hounsell	Member – Inland Restricted Fishery
	John Jarvis	Member – Southern Fish Trawl Restricted Fishery
	Geoff Blackburn	Member – Estuary General Share Managed Fishery
	Steve Everson	Member – Estuary Prawn Trawl Share Managed Fishery
	Darren Ward	Member – Ocean Trawl Share Managed Fishery
Cherie Kirkman	Executive Officer, DPI Fisheries	
Invited guests	<ul style="list-style-type: none"> • Rebecca Chapman, Senior Project Officer, DPI Fisheries • Darren Hale, Senior Fisheries Manager, DPI Fisheries 	
Apologies	Nil	

7 August 2020

1. Member Welcome, Introductions and Housekeeping

NOTED:

- Chair opened the meeting at 9:30am and welcomed Council members.
- The Aboriginal member acknowledged the traditional owners of the land, past and present.

2. Review of Agenda

NOTED:

Council accepted the agenda.

3. Review, Declarations and update Register of Interests

NOTED:

There were no declarations or updates to the Register of Interest.

4. Confirmation of Minutes from Meeting 13

NOTED:

Minutes from meeting 13 accepted without change, as a true and accurate record of the meeting.

5. Current actions arising from Meeting 13

NOTED:

- Action 8.4 redirected to Fisheries Compliance for consideration;
- Action 13.2 on today's agenda marked as completed;
- Actions 11.4.1 and 13.1 were acknowledged as completed; and
- All other actions in progress.

6. Commercial Fisheries Management Fee Framework

NOTED:

- The use of Sydney Fish Market prices for estimated GVP calculations is a single and consistent approach for all species and enables a reasonable approximation that is readily available;
- The Ocean Trawl and Estuary Prawn Trawl members believe that the proposed framework may be inequitable for the Ocean Trawl fishery.;
- It was suggested that DPI seek an economist to review the proposed framework to ensure that it is fair and equitable;

AGREE: CommFish supported NSW DPI;

- Proceed with industry consultation on the proposed framework;
- That the methodology should be reviewed by an independent economist to ensure the most representative GVP figures are being used;
- Providing CommFish with the outcomes of the industry consultation.

ACTION 14.1: NSW DPI to:

- 1. Proceed with industry consultation on the proposed framework;**
- 2. Consider that the methodology should be reviewed by an independent economist to ensure the most representative GVP figures are being used; and**
- 3. Provide CommFish with the outcomes of the industry consultation.**

7. Business Efficiency Program (BEP)

CommFish NSW reviewed the following papers and agreed that any industry consultation should be a priority:

7.1. Proposals that may be out-of-scope (revisted)

NOTED:

- Additional proposals have been identified that may be out-of-scope;
- Any changes to the prawn ballot guidelines (i.e. how individual ballots can be run) should be within scope; and
- The Department to continue to work through the remaining proposals and identify any proposals that may be out-of-scope.

AGREE: CommFish supported:

- The proposals identified as out-of-scope;
- Any changes to the prawn ballot guidelines should be within scope; and
- The Department to continue working through the remaining proposals and identify any further proposals that may be out-of-scope.

ACTION 14.2: NSW DPI to consult with industry on Prawn ballots that do not involve re-visiting share linkage.

7.2. Nominating endorsement holders

NOTED:

- Currently only one commercial fisher can be nominated on a fishing business at one time. Once a fisher is nominated the owner cannot nominate another fisher for 48 hours;
- Removing the 48-hour rule altogether poses a risk to the integrity of some management arrangements;
- Nominations are applied at the fishing business level and cannot be done at the share class level;
- Decreasing the time to either 6 or 12 hours should be considered instead of removing the 48-hour rule all together.

AGREE: CommFish suggested that NSW DPI go out to industry consultation on changing from 48 hours to 12 hours.

ACTION 14.3: NSW DPI to consult with industry on reducing the minimum nomination period from 48 hours to 12 hours.

7.3. Crew in the Estuary General Fishery

NOTED:

- Proposed to allow holder of a hand gathering or handlining endorsement to be assisted by one unlicensed (unendorsed) crew member; and
- Conditions will be required to ensure endorsement holders and assistants are operating as intended.

AGREE: CommFish supported for this proposal to progress to the next step and be discussed by the BEP working group.

ACTION 14.4: NSW DPI to progress the proposed changes to crew in the Estuary General Fishery to the BEP working group for further discussion.

7.4. Real-time reporting

NOTED:

- Proposed to increase the time to make final catch report for endorsement holders of ocean hauling garfish net and line fishing eastern zone; and
- In relation to an ocean trawl fisher returning to an interstate port either by land or sea it is proposed to change the way reporting is completed and the timing in which this is required.

AGREE: CommFish supported NSW DPI in going out to industry consultation on the following:

- Increasing the time to make a final catch report for ocean hauling garfish net and line fishing eastern zone endorsement holders; and
- Changing the way reporting is completed and the timing in which it is required for an ocean trawl fisher returning to an interstate port by land or sea.

ACTION 14.5: NSW DPI to consult industry on the proposed changes to real-time reporting.

7.5. Access rights and transfer rules

NOTED:

- Proposal to increase the maximum shareholding in the Lobster Fishery;
- Proposals to implement more flexible fishing business and endorsement arrangements in the Inland Restricted Fishery; and
- Fishing business transfer rules can be revisited once catch and effort in all relevant share classes has been reviewed by the Total Allowable Fishing (TAF) Committee or Secretary to ensure there can be no unsustainable increases in catch and effort.

AGREE: CommFish supported:

- To go out to industry consultation on increasing the maximum shareholding in the Lobster Fishery and proposed changes to endorsements in the Inland Fishery; and
- That the fishing business transfer rules can be revisited following the review of catch and effort levels by the TAF Committee or Secretary.

ACTION 14.6: NSW DPI to:

- 1. Consult with industry on increasing the maximum shareholding in the Lobster Fishery and changes to endorsements in the Inland Fishery; and**
- 2. Revisit the Fishing business transfer rules following the review of catch and effort levels in the future.**

8. Other business

8.1. Lobster Working Group

NOTED:

- The draft Lobster Working Group term of reference was discussed; and
- Members that represent the industry are not remunerated as it is an opportunity for industry to have input into the future of the fishery.
- The remuneration of members can be revisited in the future.

AGREE: CommFish supported;

- The Terms of Reference for the Lobster Harvest Strategy Working Group; and
- NSW DPI going out to Expression of Interest (EOI) for membership of the Working Group.

ACTION 14.7: NSW DPI to go out to EOI for membership of the Lobster Harvest Strategy Working Group.

8.2. Update from NSW DPI

NOTED:

- The proposed amendments to the Fisheries Management Act 1994 that were previously supported by CommFish are being progressed;
- The proposed Act amendments include the provisions supported by CommFish that enable the implementation of a Penalty Demerits Scheme.

8.3. Update from MFAC/Abalone member

NOTED:

- Look to recommending expenditure from the Commercial Fishing Trust Fund, to support industry projects;
- Several initiatives for training are being considered through the Fishing Industry Training Committee. This includes training on how catch and effort records feeds into the stock assessment and Total Allowable Catch setting processes. The other is looking to succession planning by developing a traineeship program to give those wanting to work in the industry qualifications, which will also provide skilled workers to the industry into the future;
- Ocean Hauling signage was discussed to improve the general public's understanding of fishery operations. OceanWatch is driving these initiatives and are seeking CommFish support; and
- The Department can facilitate communication to relevant fishers on behalf of OceanWatch regarding the signage initiative.

AGREE: CommFish supported;

- Further investigation into innovative projects that could be funded from the Commercial Fishing Trust Fund;
- The training initiatives that are currently being considered; and
- The community awareness signage developed by OceanWatch;

ACTION 14.8: NSW DPI to facilitate communication with fishers on behalf of OceanWatch when requested.

8.4. Communication to industry

NOTED: The Estuary General member suggested that DPI should keep the industry informed on the BEP.

8.5. Garfish

NOTED:

- Changes to Sea garfish closures have been proposed as part of the BEP; and
- Any misreporting of Sea garfish is a Fisheries Compliance matter.

8.6. SUTS closures and culling

NOTED: The SUTS member enquired to the paper he had sent in relation to SUTS closures and culling. The Department advised that the paper is being reviewed.

8.7. CommFish logo and website

NOTED: The Executive Officer shared a proposed CommFish logo and suggested the update to the CommFish webpage with a profile of each member.

AGREE: CommFish supported;

- The Executive Officer's initiatives and asked for their appreciation be passed on to the team member that designed the logo;
- All templates to be updated with new logo; and
- The Executive Officer working with members to update profiles on the website.

ACTION 14.9: Executive Officer to:

1. Pass on CommFish comments and thanks regarding the logo to the designer; and
2. Amend all templates and work with members to update profiles on the website.

8.8. General discussion

NOTED:

- General discussion on AMSA boat inspections and upgrades; and
- Industry members queried to when the social and economic report by Professor Kate Barclay would be released and were advised that Prof Barclay is in the final stages of finalising the report.

9. Next meeting

Next meeting date was discussed:

- 2 October 2020

Meeting closed

- 7 August 2020 at 12:43pm

Appendix A – Current Actions & Recommendations List for Meeting 14

Actions

No.	Action	Whom	Comments	Status
8.4	<p>Meeting 10: Action has been amended to:</p> <p>3. Letter and paper to be sent from the Chair to the Minister.</p>	EG/SUT S & AB; NSW DPI	<p>Meeting 10: Chair advised;1. Completed 2. Completed Action 8.4 to be updated</p> <p>Meeting 11: Further discussion with NSW DPI required to complete Compliance paper.</p> <p>Meeting 14: Redirected to Compliance new Acting Director for consideration</p>	3. In Progress
8.9	<p>Council members recommend that NSW DPI:</p> <p>1. Investigate the potential of automatic disqualification for certain high-level offences such as trafficking fish.</p> <p>2. Provide further information on the topic of automatic disqualification for Council members review at a future meeting.</p>	NSW DPI	<p>Meeting 10: Chair advised no change on timeline on this action.</p> <p>Meeting 11: Pending Red Tape reduction</p>	In Progress
8.17	<p>Meeting 10: Action has been amended to:</p> <p>1. NSW DPI to work through on-ground examples with a working group comprised of fishers and members to gain a solution.</p> <p>2. NSW DPI to approve record of possession form and distribute to fishers for use.</p>	Council NSW DPI	<p>Meeting 10: Chair advised that this action is back on the agenda for today. Action 8.17 to be updated</p> <p>Meeting 11: Working with compliance</p>	In Progress
8.19	<p>Council members request that a NSW DPI recreational fishing manager attend a future Council meeting to provide a briefing on the recreational EIS development.</p>	NSW DPI	<p>Meeting 10: Chair advised – NSW DPI Recreational Fishing advised currently in “project planning stage” and to revisit request to attend in May/June 2019.</p> <p>Meeting 11: To arrange for meeting 12</p> <p>Meeting 12: Waiting for travel restrictions to be relaxed</p>	In Progress
10.5	<p>1. DPI NSW to investigate the link between pre-fish, post-land and catch and effort reports as part of the catch and effort review.</p> <p>Meeting 11: Action amended to included</p> <p>2. Members to provide EO examples and EO to collate into a list for NSW DPI</p>	NSW DPI Council /EO	<p>Meeting 11: A/g GDCF&Aq advised review progressing</p>	In Progress

10.10	Meeting 11: Action has been amended to: NSW DPI to write to mud crab trappers providing an update on the mud crab tagging trials	NSW DPI	Meeting 11: On today's agenda	In progress
10.12	NSW DPI to investigate how to expand the export list.	NSW DPI	Meeting 11: In progress	In progress
11.2	1. NSW DPI to cancel shares and 2. Implement a policy in relation to surrendered and forfeited shares.	NSW DPI	Meeting 13: 1. Has been completed, 2. Under investigation	1. Completed 2. In progress
11.4	NSW DPI to: 1. Amend the debt recovery process to remove forfeiture. 2. Consider CommFish NSW feedback when writing and implementing a firm policy.	NSW DPI	Meeting 14: 1. Completed forfeiture has been removed	1. Completed 2. In progress
13.1	Members to advise the Executive Officer of any amendments to the register.	Council	Meeting 14: Completed and circulated	Completed
13.2	NSW DPI to: Report to CommFish with further information on GVP calculations for trawl whiting and any inequities between different share classes (e.g. offshore trawl operations) prior to finalising the industry consultation paper.	NSW DPI	Meeting 14: Completed on agenda today	Completed
13.3	NSW DPI consult industry on 10-year commercial fishing licences.	NSW DPI		
13.4	NSW DPI consult industry on boat lengths and licences.	NSW DPI		
13.5	NSW DPI to amend the CommFish NSW Charter as per the agreed wording.	NSW DPI		
14.1	NSW DPI to: 1. Proceed with industry consultation on the proposed framework; 2. Consider that the methodology should be reviewed by an independent economist to ensure the most representative GVP figures are being used; and 3. Provide CommFish with the outcomes of the industry consultation.	NSW DPI		
14.2	NSW DPI to consult with industry on Prawn ballots that do not involve re-visiting share linkage.	NSW DPI		

14.3	NSW DPI to consult with industry on reducing the minimum nomination period from 48 hours to 12 hours.	NSW DPI		
14.4	NSW DPI to progress the proposed changes to crew in the Estuary General Fishery to the BEP working group for further discussion.	NSW DPI		
14.5	NSW DPI to consult industry on the proposed changes to real-time reporting.	NSW DPI		
14.6	NSW DPI to: 1. Consult with industry on increasing the maximum shareholding in the Lobster Fishery and changes to endorsements in the Inland Fishery; and 2. Revisit the Fishing business transfer rules.	NSW DPI		
14.7	NSW DPI to go out to EOI for membership of the Lobster Harvest Strategy Working Group.	NSW DPI		
14.8	NSW DPI to facilitate communication with fishers on behalf of OceanWatch when requested.	NSW DPI		
14.9	Executive Officer to: 1. Pass on CommFish comments and thanks regarding the logo to the designer; and 2. Amend all templates and work with members to update profiles on the website.	EO		