



**Commercial Fishing NSW Advisory Council
(CommFish NSW AC)
Meeting 20, 17 September 2021
Via Teleconference**

Members present	Stuart Richey AM	Chair
	Craig Shephard	Sea Urchin & Turban Shell Fishery
	Darren Ward	Ocean Trawl Fishery
	Greg Finn	Ministerial Fisheries Advisory Council
	Geoff Blackburn	Estuary General Fishery
	Mark Cranstone	Lobster Fishery
	Mitchell Sanders	Ocean Trap & Line Fishery
	Patrick Richardson	Ocean Haul Fishery
	Peter Turnell	Director, Fisheries and Aquaculture Management
	Raymond Saunders	Aboriginal Commercial Fishers
	Stephen Bunney	Abalone Fishery
	Steve Everson	Estuary Prawn Trawl Share Managed Fishery
	Steve Hounsell	Inland Fishery
Executive Officer	Cherie Kirkman	
Invited staff	<ul style="list-style-type: none"> • Darren Hale, Senior Fisheries Manager, Commercial Fisheries, NSW DPI • Darren Reynolds, Program Leader, Fisheries Innovation and Development, NSW DPI • Simon Clark, Program Leader, Commercial Fisheries, NSW DPI • Veronica Silberschneider, Senior Fisheries Manager - Harvest Strategies, NSW DPI 	
Apologies	John Jarvis – Member – Southern Fish Trawl Fishery	

17 September 2021

1. Member Welcome, Introductions and Housekeeping

NOTED:

- Chair opened the meeting at 9:00am and welcomed Council members and NSW DPI staff.
- The Aboriginal member acknowledged the traditional owners of the land, past, present and emerging.
- Chair introduced the new Program Leader for Commercial Fisheries, Simon Clark and invited him to address the Council.
- Chair also clarified the terms of references for Members in relation to sharing Council information:
 - Council papers are provided to Members prior to the meeting to allow Members the opportunity to speak to colleagues to gain insight on pending topics prior to the meeting.
 - Papers identified as confidential reflect items that are not for general discussion outside of the Council's membership.
 - Council should be transparent and open as per the charter.

- Given the Council's recommendations are to the Minister, it is best practice to allow the Minister to receive the advice before recommendations are more broadly discussed.
- In response to member feedback, NSW DPI will publish all submissions online to improve the transparency of future public consultation processes. This will allow members direct access to public comments to compliment any summaries provided in meeting papers.
- The Chair reaffirmed that any documents tabled at the meeting should be emailed to Members that are not present at the same time the papers are tabled.

ACTION 20.1: All future papers/documents tabled in a meeting room are to be emailed to Members not in attendance (or participating via teleconference.)

2. Review of Agenda

NOTED:

Council accepted the agenda.

3. Review, Declarations and update Register of Interests

NOTED: Members have reviewed their pecuniary interest register information prior to the meeting and have provided instructions to the EO for updating and circulation.

ACTION: This is an ongoing action - EO to update pecuniary register and circulate.

4. Confirmation of Minutes from Meeting 19

NOTED:

Minutes from meeting 19 accepted without change, as a true and accurate record of the meeting.

5. Current actions arising from Meeting 19

NOTED:

- The following actions have been completed 10.5, 11.2, 11.4, 14.1.2, 14.4, 15.1, 16.5, 16.6, 17.2, 17.3, 17.6, 17.7 18.3, 18.4, 18.5, 19.1, 19.5, 19.6 and 19.8.
- All other actions in progress.

6. Correspondence received

NOTED:

- Correspondence was received regarding an update on the BEP and compliance. This was deemed to be NSW DPI operational and was sent to NSW DPI for action. NSW DPI responded to the author on the 28 August 2021.

7. Draft Trawl Whiting Harvest Strategy

A presentation was provided by NSW DPI on the draft Trawl Whiting Harvest Strategy.

NOTED:

- The draft Trawl Whiting Harvest Strategy was developed by the Trawl Whiting Harvest Strategy Working Group (TWHSWG).
- The TWHSWG seeks CommFish support to progress the harvest strategy to the public consultation phase.
- The TWHSWG will consider submissions received, incorporate any important changes, and submit a final draft to CommFish for review and advice to the Minister (or NSW DPI).
- The Ocean Trawl Member provided insight into the process highlighting:
 - the importance of accurate data for future harvest strategy assessment
 - use of plain language to assist fishers to understand harvest strategies.

- The Estuary Prawn Trawl Member raised an issue that towards the end of the last fishing period he was unable to transfer whiting quota between his businesses. He was concerned it may have impacted other fishers

AGREE: CommFish supported;

- The release of the NSW Trawl Whiting Harvest Strategy for public consultation.

ACTION 20.2:

- 1. NSW DPI to release the NSW Trawl Whiting Harvest Strategy for public consultation.**
- 2. NSW DPI to investigate why trawl whiting quota could not be transferred prior to the end of the fishing period between fishing business with the same business owner.**

8. Business Efficiency Program

NOTED:

- NSW DPI provided an update of the 8 BEP proposals and the new system of management charges for five multi-species shared management fisheries as recommended for implementation by CommFish from meeting 19.
- Chair asked NSW DPI if they will be sending out a communication to industry as this would be a good news story. NSW DPI agreed that communication is important. The CommFish NSW outcomes from meeting 19 have been published on the webpage.
- The papers listed below were presented to CommFish for consideration. A detailed summary and list of recommendations is provided in Appendices B – G.
 1. EG Prawning - Temporal and spatial controls.
 2. EG Trapping - Temporal and spatial controls.
 3. Ocean Hauling - Temporal and spatial controls.
 4. EG Hauling - Temporal and spatial controls.
 5. Various proposals and Fisheries. (Note that this paper will continue next meeting).

ACTION 20.3: NSW DPI to notify CommFish of any communication from the NSW Government to industry relating to the proposals recommended by CommFish for implementation.

9. General Business

NOTED:

- General business was deferred until next meeting.
- The Estuary General member was asked to prepare an agenda paper based on his recommendations:
 - on succession planning and
 - consideration to allow Family Trusts to buy shares.
- Members sought clarity on CommFish member's appointments to the Mulloway Harvest Strategy Working Group. The Chair noted the draft Harvest Strategy will be tabled at a CommFish meeting prior to public consultation and post public consultation for endorsement. To be discussed further at the next meeting.
- The Abalone and SUTS members shared concerns regarding the luring and teasing of sharks for photos or videos and the implications for NSW professional diving fisheries. NSW DPI indicated they were already in the process of reviewing the practice.
- The Ocean Hauling member advised that he will compile an email regarding conversations he has had with other fishers and circulate to members for discussion.

ACTION 20.4: The EG Member to provide an agenda papers on succession planning and Family Trusts buying shares.

10. Next meeting

Next meeting date proposed for 22 October 2021.

Meeting closed

17 September 2021, 1:30pm

Appendix A – Current Actions & Recommendations List for Meeting 20

Actions

No.	Action	Whom	Comments	Status
8.9	Council members recommend that NSW DPI: 1. Investigate the potential of automatic disqualification for certain high-level offences such as trafficking fish. 2. Provide further information on the topic of automatic disqualification for Council members review at a future meeting.	NSW DPI	Meeting 10: Chair advised no change on timeline on this action. Meeting 11: Pending Red Tape reduction	In Progress
8.17	Meeting 10: Action has been amended to: 1. NSW DPI to work through on-ground examples with a working group comprised of fishers and members to gain a solution. 2. NSW DPI to approve record of possession form and distribute to fishers for use.	Council NSW DPI	Meeting 10: Chair advised that this action is back on the agenda for today. Action 8.17 to be updated Meeting 11: Working with compliance	In Progress
8.19	Council members request that a NSW DPI recreational fishing manager attend a future Council meeting to provide a briefing on the recreational EIS development.	NSW DPI	Meeting 10: Chair advised – NSW DPI Recreational Fishing advised currently in “project planning stage” and to revisit request to attend in May/June 2019. Meeting 11: To arrange for meeting 12 Meeting 12: Waiting for travel restrictions to be relaxed	In Progress
10.5	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. Meeting 11: Action amended to included 2. Members to provide EO examples and EO to collate into a list for NSW DPI	NSW DPI Council /EO	Meeting 11: A/GDCF&Aq advised review progressing Meeting 20: Completed - confirmed being completed as part of a broader data management project. Coordinated by Darren R.	Completed
11.2	2. Implement a policy in relation to surrendered and forfeited shares.	NSW DPI	Meeting 13: 1. Has been completed, 2. Under investigation. Meeting 20: Completed - DPI considering as part of the debt recovery project	Completed
11.4	NSW DPI to: 2. Consider CommFish NSW feedback when writing and implementing a firm policy.	NSW DPI	Meeting 14: 1. Completed forfeiture has been removed Meeting 20: Completed - DPI considering as part of the debt recovery project	Completed

No.	Action	Whom	Comments	Status
14.1	NSW DPI to: 2. Consider that the methodology should be reviewed by an independent economist to ensure the most representative GVP figures are being used,	NSW DPI	Meeting 18: 1. Completed, 2&3 in progress Meeting 19: 3. Completed on today's agenda, 2 in progress Meeting 20: Completed - Commercial Fisheries Management Fee Framework was approved to implement.	Completed
14.2	NSW DPI to consult with industry on Prawn ballots that do not involve re-visiting share linkage.	NSW DPI		In Progress
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	Meeting 20: Completed - Approved and confirmed progressing to BEPWG	Completed
14.6	NSW DPI to: 2. Revisit the Fishing business transfer rules at a later date	NSW DPI	Meeting 18: 1. Completed, 2 In progress	2. In Progress
15.1	NSW DPI: To work to implement the actions arising from the NSW Government's initial response to the recommendations of the report.	NSW DPI	Meeting 20: Completed – BDO economic and social indicator monitoring project underway.	Completed
15.2	NSW DPI: 3. Provide CommFish NSW with a balance of the Commercial Fishing Trust Fund.	NSW DPI	Meeting 18: 1&2 Completed, 3 in progress	In progress
16.5	NSW DPI to: 1. Revert back to CommFish in relation to Lobster take and possession in demersal fish traps and the Ocean Trawl fishery; and 2. Progress the following proposals to the joint working group for consideration: a. A reduced size limit of 28 cm for Silver trevally and 30 cm for Tiger Flathead taken in the Ocean Trawl fishery, noting that the minimum mesh size of 115 mm in the body of a fish trawl net should be considered at the same time; b. Allowing quota species subject to a size limit to be retained in prawn trawl nets in the Ocean Trawl fishery south of Smoky Cape.	NSW DPI	Meeting 20: 1. Completed 2 Completed – Approved and confirmed progressing to BEPWG.	Completed

No.	Action	Whom	Comments	Status
16.6	2. Progress the following proposed changes to these lists to the joint working group for consideration: <ol style="list-style-type: none"> a. Estuary General permitted species list – add Wirrah, Diamond fish, Oxeye and Giant herring, Bigeye, Giant and Brassy trevally, Common pony fish, Barred/spotted grunter, Giant salmon catfish, Eastern shovelnose, Moses perch, Greenback flounder, Queenfish, Stargazer, Sweetlip, Slaty bream, Rock cod and Black spotted cod. b. Hunter EPT by-product list – add Silver biddies, Carp and Herring. c. Hawkesbury EPT by-product list – add Cuttlefish, Southern calamari, John dory, Giant boarfish, Scat, Diamond fish, Tripletail, Fantail mullet, Catfish, Black trevally, Tounge sole, Stingrays, Pike, Coral crab, Common pike eel, Eastern fiddler ray, Eastern shovelnose and Herring. 	NSW DPI	Meeting 19: 1. Completed, 2 In progress Meeting 20: 2. Completed – Approved and confirmed progressing to BEPWG.	Completed
17.2	The following items from the BEP – species restriction (miscellaneous), are recommended to move to the next step - BEP working group. (Refer to appendix B) Items: 6.1, 6.2, 6.3, 6.4, 6.7, 6.9, 6.12 and 6.15.1	NSW DPI	Meeting 20: Completed – Approved and confirmed progressing to BEPWG.	Completed
17.3	The following items from the BEP – species restriction (miscellaneous), are recommended as no change and not required to move to next stage of the BEP. (Refer to appendix B) Items: 6.5, 6.6, 6.8, 6.11, 6.13 and 6.14.	NSW DPI	Meeting 20: Completed – Approved and confirmed not to progress.	Completed
17.4	Item 6.10: (Refer to appendix B) NSW DPI to investigate further and consider amending the regulations.	NSW DPI		In progress
17.5	Item 6.15.2 (Refer to appendix B) NSW DPI to prepare a paper for CommFish consideration	NSW DPI		In Progress
17.6	The following items from the BEP – Estuary General meshing nets, are recommended to move to the next step - BEP working group. (Refer to appendix C) Items: 7.1 and 7.4.	NSW DPI	Meeting 20: Completed – Approved and confirmed progressing to BEPWG.	Completed

No.	Action	Whom	Comments	Status
17.7	The following items from the BEP – Estuary General meshing nets, are recommended as no change and not required to move to next stage of the BEP. (Refer to appendix C) Items: 7.2, 7.3, 7.5 and 7.7.	NSW DPI	Meeting 20: Completed – Approved and confirmed not to progress.	Completed
17.8	Item 7.6: (Refer to appendix C) NSW DPI to write to the proponent to request further information.	NSW DPI		In Progress
18.3	NSW DPI to provide a paper on the removal of the Fish Receiver license	NSW DPI	Meeting 20: Completed – Discussed at meeting 19. Now refer to item 19.2	Completed
18.4	The following items from the BEP, are recommended to move to the next step - BEP working group. (Refer to appendixes B-G) <ul style="list-style-type: none"> • Estuary General GP Hauling nets (appx. B) <ul style="list-style-type: none"> ○ Items 6.1, 6.2, 6.3.2, 6.4, 6.5, 6.7, 6.8 and 6.9. • Ocean Hauling GP hauling nets (appx. C) <ul style="list-style-type: none"> ○ Items 7.1.1, 7.1.2, 7.2 and 7.3. • Estuary General prawning nets (appx. D) <ul style="list-style-type: none"> ○ Items 8.1, 8.2, 8.3, 8.4, 8.5, 8.6, 8.7 and 8.8 • Estuary General garfish bullringing (appx. E) <ul style="list-style-type: none"> ○ Items 9.1, 9.2 and 9.3 • Set lines in the EG and OTL fisheries (appx. F) <ul style="list-style-type: none"> ○ Items 10.1, 10.2 and 10.3 • Miscellaneous gear changes (appx. G) <ul style="list-style-type: none"> ○ Items 11.1, 11.2.1, 11.6 and 11.8. 	NSW DPI	Meeting 20: Completed – Approved and confirmed progressing to BEPWG.	Completed
18.5	The following items from the BEP, are recommended as no change (Refer to appendixes B-G) <ul style="list-style-type: none"> • Estuary General GP Hauling nets (appx. B) <ul style="list-style-type: none"> ○ Items 6.3.1, 6.6 • Ocean Hauling GP hauling nets (appx. C) <ul style="list-style-type: none"> ○ 7.1.3 • Miscellaneous gear changes (appx. G) 	NSW DPI	Meeting 20: Completed – Approved and confirmed not to progress.	Completed

No.	Action	Whom	Comments	Status
	○ Items 11.9 and 11.10			
18.6	Appendix G - Item 11.1.2 - NSW DPI to write to the proponent to request further information on trap size.	NSW DPI		In Progress
18.7	Appendix G Items 11.3, 11.4, 11.5 and 11.7. - To revisit at a later date.	NSW DPI		In Progress
19.1	1. EO to send link to the Minderoo website to CommFish members. 2. CommFish to write a letter of support for funding of the second stage of the FishOnline technology project.	EO CFNSW	Meeting 20: 1. Completed -Sent to members 28 May 2021 2. Completed letter to DDG 5 July 2021	Completed
19.2	CommFish recommend: 1. NSW DPI to consult with fishers and existing registered fish receivers on the four options. 2. NSW DPI and Industry work to improve compliance with existing record-keeping and reporting requirements.	NSW DPI NSW DPI		In Progress
19.3	NSW DPI to investigate the sending of links to industry members.	NSW DPI		In Progress
19.4	19.4 The EG member is to provide an example of a proposed industry standard with the assistance of the EO and revert back to CommFish for further discussion.	EG & EO	Meeting 20: Update – • EG member has raised with NSWSIC as the appropriate body. • It was resolved to draw up an Industry standard that NSWSIC would endorse.	In Progress
19.5	Items 1 -15 from the BEP public consultation are to be implemented as recommended by CommFish. (Refer to appendix B)	NSW DPI	Meeting 20: Completed – Approved to implement.	Completed
19.6	The following items from the BEP, are recommended to move to the next step - BEP working group. (Refer to appendixes C, D, E and G) Items 1.1, 2.1, 3.1, 5.2 and 6.1.2	NSW DPI	Meeting 20: Completed – Approved and confirmed progressing to BEPWG.	Completed
19.7	Item 1.2 DPI to work with proponent and report back to CommFish (refer to appendix C).	NSW DPI		In Progress

No.	Action	Whom	Comments	Status
19.8	The following items from the BEP, are recommended as no change (Refer to appendix D & I) Items 2.2, 2.3, 2.4, 2.6, 2.7, 2.8, 2.10, 2.11 and 7.1	NSW DPI	Meeting 20: Completed – Approved and confirmed not to progress.	Completed
19.9	The following items from the BEP are recommended for further discussion with RFNSW Item 2.5 and 2.9 (refer to appendix D)	NSW DPI		In Progress
19.10	Item 4.1 from the BEP is to be considered at a later date. (refer to appendix F)	NSW DPI		In Progress
19.11	Item 5.1 from the BEP is for DPI to investigate and report back to CommFish on amending the Act or regulation. (refer to appendix G)	NSW DPI		In Progress
19.12	Item 6.1.1 from the BEP (refer appendix H) 1. DPI to work with shareholders on a co-management approach. 2. Move to the next step (BEP working group).	NSW DPI		In Progress
19.13	Item 7.2 from the BEP is for DPI to work with relevant shareholders and revert back to CommFish for further consideration (refer to appendix I)	NSW DPI		In Progress
20.1	All future papers/documents tabled in a meeting room are to be emailed to Members not in attendance (or participating via teleconference.)	NSW DPI		
20.2	1. NSW DPI to release the Trawl Whiting Harvest Strategy for public consultation. 2. NSW DPI to investigate why quota could not be transferred prior to the end of the fishing period between fishing business with the same business owner.	NSW DPI		
20.3	NSW DPI to notify CommFish of any communication from the NSW Government to industry relating to the proposals recommended by CommFish for implementation from meeting 19.	NSW DPI		
20.4	The EG Member to provide an agenda papers on succession planning and Family Trusts buying shares.	EG		
20.5	The following items from the BEP are to be revisited after seeking feedback from relevant fishers: (Refer to	NSW DPI		

No.	Action	Whom	Comments	Status
	appendixes B; Items 1.1, 1.2, 1.3, and 1.5).			
20.6	The following items from the BEP are recommended to progress to the next step - BEP working group (Refer to appendixes B, C, D, E and F; Items 1.4, 2.1, 2.2, 3.1, 3.2 3.3, 3.4.1, 4.2 and 4.3).	NSW DPI		
20.7	The following items from the BEP are recommended as no change (Refer to appendixes D, E and F; Items 3.4.2, 4.1, 4.5, 4.6, 5.1, 5.2, 5.3.1, 5.5, 5.6.1, and 5.7).	NSW DPI		
20.8	NSW DPI to seek further information from the proponents. (Bait nets various waters; Item 4.4.)	NSW DPI		
20.9	Dive members to consider an alternative approaches to enhance diver safety (Item 5.3.2)	CFNSW		
20.10	NSW DPI to investigate post catch reconciliation of quota and report back to CommFish (Item 5.4)	NSW DPI		
20.11	Regulations are amended to clarify that hanging of SUTS species is not permitted (Item 5.6.2)	NSW DPI		

Appendix B – Outcomes from discussion on Business Efficiency Program – Temporal and Spatial closures – Estuary General (EG) – Prawning

Topic discussed	Noted	CommFish Recommendation	Action
1.1 Estuary General – Prawn net (set pocket) and various waters	<ol style="list-style-type: none"> 1) Commercial fishing for prawns is already permitted in these waters. 2) The prawn net (set pocket) is a passive method of fishing with little by-catch. 3) There is limited recreational targeting of prawns in the Macleay, Nambucca, Richmond and Tweed Rivers. 4) It is likely that the reason for set pocket nets not being permitted in these waters was because they were not used in those waters at that time. 5) Further details are required to understand the benefits and risks from the proposal before a recommendation can be made, such as: <ul style="list-style-type: none"> ○ clarify resource sharing implications with commercial fishers using other prawning methods, and ○ other controls or restrictions required, such as designated sites and seasonal and weekend closures and whether priority determination processes are required. 	<p>That the proposal relating to EG prawn set pocket nets be revisited after seeking feedback from relevant fishers on the proposals and issues identified by CommFish.</p>	<p>20.5: To be revisited after seeking feedback from relevant fishers.</p>
1.2 Estuary General – Port Stephens prawning nets	<ol style="list-style-type: none"> 1) There is limited recreational targeting of prawns in this estuary. 2) Where the closure applies to commercial and recreational fishers, support from the recreational sector would be required to access the shared resource. 3) The issues noted under (5) above (topic 1.1) are relevant to these proposals also and require consideration. 	<p>That the proposal relating to EG – Port Stephens prawning nets be revisited after seeking feedback from relevant fishers on the proposals and issues identified by CommFish.</p>	<p>20.5: To be revisited after seeking feedback from relevant fishers.</p>
1.3 Estuary General – Prawn running net and various waters	<ol style="list-style-type: none"> 1) Commercial fishing is permitted in the proposed waters (except Saltwater Creek) using the same prawning nets that recreational fishers are permitted to use. 2) The prawn running net is a passive method with minimal bycatch issues. 	<p>That the proposal relating to EG – Prawn running net and various waters be revisited after seeking feedback from relevant fishers on the proposal and issues identified by CommFish.</p>	<p>20.5: To be revisited after seeking feedback from relevant fishers.</p>

Topic discussed	Noted	CommFish Recommendation	Action
	3) It is unlikely this would have an impact on the recreational sector or ocean trawling due to the waters in which the proponent seeks to use this net. 4) The issues noted under (5) above (topic 1.1) are relevant to this proposals also and require consideration.		
1.4 Estuary General – Clarence River set pocket net weekend closure	1) Industry observation is that the stock is not travelling in the same way as is has in the past. 2) The regulation does not reflect how the fishery operates. i.e. the regulation allows prawning on weekends during the ‘dark’ all year, but there are no priority determinations and prawning is not allowed on weekdays during the ‘winter closed season’ (June and July). 3) To simplify arrangements and for consistency with other waters, allowing use of the prawn set pocket net on all weekends during the prawning season (August to May) is a better option.	That the following progress to the next step of the BEP: (a) allow set pocket nets to be used in the Clarence River on all weekends during the prawning season, and (b) prohibit set pocket nets on all weekends during the winter closed season (June and July) consistent with how the fishery currently operates.	20.6: Move to the next step (BEP working group).
1.5 Estuary General – Tuggerah Lakes seasonal prawning closure	1) The proposal seeks to remove the seasonal closure for prawners at Long Jetty (i.e. November through to April). 2) Prawn running nets along with other smaller prawning nets may already be used in these waters during this period, indicating the proposal concerns the use of prawn hauling nets and potentially prawn seine nets. 3) It was noted there are prawn running net digs in these waters and that seining (or snigging) may not be feasible because of the shallow depth of the water and seagrass. More information on the methods being proposed is required along with consideration of any potential impacts on other prawners using other prawning methods in these waters. 4) The issues noted under (5) above (topic 1.1) are relevant to this proposals also and require consideration.	That the proposal relating to EG – Tuggerah Lakes seasonal prawning closure be revisited after seeking feedback from relevant fishers on the proposal and issues identified by CommFish.	20.5: To be revisited after seeking feedback from relevant fishers.

Appendix C – Outcomes from discussion on Business Efficiency Program – Temporal and Spatial closures – Estuary General – Trapping

Topic discussed	Noted	CommFish Recommendation	Action
2.1 Fish Trapping in the Clarence River	<ol style="list-style-type: none"> 1) The use of fish traps in Region 2 is restricted to a small patch of water sometimes referred to as the 'middle wall trap ground'. Fish traps used here may be used during the winter bream trapping season only. 2) There are resource sharing considerations as the target species crosses over into other fisheries such as hauling. 3) Potential to have increased social conflict, due to recreational fishing and other forms of commercial fishing in some of the waters concerned. 4) Fish traps have minimal impact on habitat and bycatch is generally low. 5) It was suggested to allow fish traps only in those waters where crab traps are permitted. 	<p>That the proposal to allow fish traps in the same areas as mud crab traps in the Clarence River progress to the BEP working group.</p>	<p>20.6: Move to the next step (BEP working group).</p>
2.2 Fish Trapping in Warrell Creek (Nambucca River)	<ol style="list-style-type: none"> 1) There is a 5 km stretch of river downstream of this closure where traps may be used by commercial and recreational fishers. 2) Fish traps have minimal impact on habitat and bycatch is generally low. 	<p>That the proposal to allow fish traps in Warrell Creek (Nambucca River) progress to the BEP working group.</p>	<p>20.6: Move to the next step (BEP working group).</p>

Appendix D– Outcomes from discussion on Business Efficiency Program – Temporal and Spatial closures – Ocean Hauling

Topic discussed	Noted	CommFish Recommendation	Action
3.1 Garfish hauling on weekends and public holidays	<ol style="list-style-type: none"> 1) Some proposals concern the weekend closure only whereas others concern both the weekend closure and the public holiday closure. 2) The weekend closure was introduced as a management tool to assist the recovery of Eastern Sea Garfish. It is currently classified sustainable and is now quota managed. 3) Fishers have limited access to markets when fishing on Thursday and Friday. Ability to work on weekends will assist with market access, transportation and product quality. 4) There was support for the proposal except when the weekend precedes or follows a gazetted public holiday. 	<p>That the proposal to allow Garfish hauling on weekends in the Ocean Hauling Fishery, except where the weekend follows or precedes a gazetted public holiday, progress to the BEP working group.</p>	<p>20.6: Move to the next step (BEP working group).</p>
3.2 PAB nets and GP hauling nets on weekends	<ol style="list-style-type: none"> 1) Consideration was given to resource sharing and social license issues. It was noted that recreational fishing activity appears to be spread more evenly though the week than in the past, with a lower spike on weekends. 2) There was discussion that the public likes to see their product being caught and engage with fishers. 3) There was support for the proposal except when the weekend precedes or follows a gazetted public holiday. 	<p>That the proposal to allow PAB nets and GP hauling nets on weekends (November through to February) in the Ocean Hauling Fishery, except where the weekend follows or precedes a gazetted public holiday, progress to the BEP working group.</p>	<p>20.6: Move to the next step (BEP working group).</p>
3.3 Garfish hauling – various waters	<ol style="list-style-type: none"> 1) Eastern Sea Garfish is classified as sustainable and is quota managed in the Ocean Hauling Fishery. 2) The closures were the result of an extensive liaison process at a local level to address a range of issues relating to the social sustainability of the fishery and carrying out fishing in a manner that minimises social impacts. 3) Boat-based garfish hauling is permitted in these closures but only adjacent to a headlands. 4) Commercial quantities of Eastern Sea Garfish are also found along beaches. 	<p>That the proposal to allow beach and boat-based garfish hauling in the Ocean Hauling Fishery closures in question on weekends, except where the weekend follows or precedes a gazetted public holiday, progress to the BEP working group.</p>	<p>20.6: Move to the next step (BEP working group).</p>

Topic discussed	Noted	CommFish Recommendation	Action
	5) It was proposed to allow both boat and beach-based activity on weekends except where the weekend precedes or follows a gazetted public holiday.		
3.4 Beach hauling – various waters	1) It was noted there is potential for increased social conflict and potential resource sharing issues (stock, beach access, and adverse interactions), particularly the proposals concerning Crescent Head, North Shore Beach (Port Macquarie), and Wallis Lake entrance to Seven Mile Beach. 2) Weather events have impacted some beaches and spreading effort would be a benefit in some areas. 3) The removal of all of part of the Crowdy Head to Wallabi Point closure would help reduce interactions with other stakeholders on other beaches. 4) It was proposed that removing the closures between Crowdy Head to Wallabi Point and Nobbys Beach to Nine Mile Beach within Mullet season progress to the next step.	1) That the proposals to allow use of the GP hauling net during mullet travelling season between Crowdy Head to Harrington Inlet and Nobbys Beach to Nine Mile Beach progress to the BEP working group. 2) All other proposals not to progress.	1) 20.6: Move to the next step (BEP working group). 2) 20.7: No change.

Appendix E – Outcomes from discussion on Business Efficiency Program – Temporal and spatial controls - Estuary General – Hauling

Topic discussed	Noted	CommFish Recommendation	Action
4.1 Hauling on weekends in the Clarence River	<ol style="list-style-type: none"> 1) The waters referred to in the proposal include the main channel and north arm of the Clarence River, upstream from where the GP hauling net may be used on weekends during the mullet travelling season. 2) Allowing the use of GP hauling nets in the proposed waters on weekends may result in increased interaction with other fishers and waterway users, potentially creating social-licence issues. 3) There does not appear to be a lot of value in the proposal. 4) Access to the waters concerned is not needed during the mullet travelling season and there would be risk of fishers targeting species other than mullet. 	<p>That the proposal to allow hauling on weekends in the waters concerned is not progressed.</p>	<p>20.7: No Change.</p>
4.2 PAB net on weekends and public holidays in the Hawkesbury River	<ol style="list-style-type: none"> 1) The PAB nets may only be used for taking pilchards, anchovies and whitebait species. 2) In the Hawkesbury, the net is restricted to the lower reaches (including Broken Bay). 3) There has been increased demand for small species such as Sandy Sprat. Sandy Sprat and other species taken in this net are generally not targeted by recreational fishers. 4) Other commercial fishing nets are not permitted to be used in the lower Hawkesbury River on weekends and public holidays, except during the mullet travelling season. 5) Allowing use of the net on weekends may result in increased interaction with other fishers and waterway users creating social-licence issues. 6) Consideration was given to allowing it during the mullet travelling season given that fishers are already on beaches with nets. 	<p>That the proposal to allow the use of PAB nets on weekends in the Hawkesbury River during the mullet travelling season only progress to the BEP working group.</p>	<p>20.6: Move to the next step (BEP working group).</p>

Topic discussed	Noted	CommFish Recommendation	Action
<p>4.3 PAB net – Port Stephens and Clarence River</p>	<ol style="list-style-type: none"> 1) The PAB net may only be used to take only pilchards, anchovies and whitebait species. 2) If the PAB net is extended to Port Stephens and the Clarence River, it should be described the same way as the PAB net used in the Hawkesbury River, be subject to the same arrangements proposed for the Hawkesbury above (i.e. if allowed on weekends it should be during the mullet season only), and only be available to category 1 endorsement holders. 3) There has been increased demand for small species such as Sandy Sprat. Sandy Sprat and other species taken in this net are generally not targeted by recreational fishers. 4) Current closures (including recreational fishing havens) in the lower reaches of these rivers may mean that the net is not used a lot. 	<p>That the proposal to allow use of the PAB net in Port Stephens and the Clarence River progress to the BEP working group, subject to the following:</p> <ol style="list-style-type: none"> (a) the net is described the same as the PAB net permitted in the Hawkesbury River, (b) the arrangements or conditions that apply when using the net in the Hawkesbury River also apply when the net is used in Port Stephens and the Clarence River, and (c) only category 1 hauling endorsement holders are permitted to use the net (not category 2 endorsement holders). 	<p>20.6: Move to the next step (BEP working group).</p>
<p>4.4 Bait net – various waters</p>	<ol style="list-style-type: none"> 1) A bait net may only be used during the day, to take permitted species other than those subject to a size limit and prawns. 2) There has been increased demand for small species such as Sandy Sprat. Sandy Sprat is not targeted by recreational fishers. 3) Potential bycatch of undersize fish (e.g. whiting and garfish spp.) may need to be considered, along with any restrictions that may be required (e.g. times, waters, etc.) if the net is to be extended to other waters. 4) It is possible that the proponents are referring to the PAB net, not the smaller bait net that is permitted in the Macleay River only and rarely used. 	<p>That NSW DPI contacts the proponents to confirm if their proposals relate to the PAB net rather than the bait net.</p>	<p>20.8. NSW DPI to seek further information from the proponents.</p>

Topic discussed	Noted	CommFish Recommendation	Action
<p>4.5 Clarence River – all category 1 and 2 hauling nets</p>	<ol style="list-style-type: none"> 1) Proposal is to allow category 1 hauling endorsement holders in the Clarence to use category 1 hauling nets permitted in all other regions. 2) The PAB net has already been discussed along with the bait net. 3) Regarding the trumpeter whiting net: <ol style="list-style-type: none"> a) this net is designed for Trumpeter Whiting which is a smaller fish than the Sand Whiting taken in the Clarence River and could result in bycatch issues, b) commercial quantities of Trumpeter Whiting are rarely if ever found in the Clarence River, and c) CommFish previously considered proposals to modify the GP hauling net to catch more Sand Whiting and decided that smaller mesh should not be pursued. 4) Regarding the garfish hauling net: <ol style="list-style-type: none"> a) the net is generally used to target Eastern Sea Garfish which is quota managed in the Ocean Hauling Fishery, but not the Estuary General Fishery, b) fishers in the Clarence can already use garfish bullringing nets, and c) CommFish has already supported a proposal to allow garfish to be taken in GP hauling nets to progress to the next step of the BEP. 	<p>That the proposal is not progressed.</p>	<p>20.7: No Change.</p>
<p>4.6 Budgewoi Lake and Lake Munmorah – GP hauling nets</p>	<ol style="list-style-type: none"> 1) These proposals will be contentious with recreational fishers and the community, particularly because they involve Tuggerah Lake and hauling nets. 2) Commercial nets, including meshing nets, are permitted in Budgewoi Lake, and allowing GP hauling nets may impact the meshing fishery. 3) Nets other than the dip or scoop net & landing net are prohibited in Lake Munmorah. 4) CommFish previously recommended that the 'one-shot per day' rule be removed. 5) Introducing the proposed limit of 5 shots per season will be costly to administer and enforce. 	<p>That the proposal for GP hauling nets in Budgewoi Lake and Lake Munmorah is not progressed.</p>	<p>20.7: No Change.</p>

Appendix F – Outcomes from discussion on Business Efficiency Program – Various proposals and Fisheries

Topic discussed	Noted	CommFish Recommendation	Action
5.1 Requirements to carry fishing business card (all fisheries)	<ol style="list-style-type: none"> 1) The requirement to produce a fishing authority applies to commercial fishing licences, fishing business cards, and boat licences. 2) Fishers have the option to carry fishing authorities in digital form on a phone or other electronic device or the plastic card. 3) It was agreed Fisheries Officers must be able to identify a person carrying out a commercial fishing activity. 	That the proposal to remove the requirement to carry fishing business cards is not progressed.	20.7: No Change.
5.2 Filleting fish in, on, or adjacent to waters (all fisheries)	<ol style="list-style-type: none"> 1) It was agreed it would not be appropriate to allow fish subject to a size limit to be filleted or processed in a way that prevents a Fisheries Officer measuring the length of the fish. 	That the proposal to allow the filleting of all fish in, on or adjacent to waters is not progressed.	20.7: No Change.
5.3 Recreational fishing near commercial fishers (all fisheries)	<ol style="list-style-type: none"> 1) This is a safety issue for commercial diving fishers, particularly in Sydney. 2) May need to consider alternatives such as engaging with AMSA regarding enforcing the 50 metre from a dive flag rule. 3) Safety is a priority for all fishers. 	<ol style="list-style-type: none"> 1) That the proposal to stop recreational fishers fishing near commercial fishers is not progressed. 2) That those members that dive consider alternative approaches to enhance diver safety. 	<p>1) 20.7: No Change.</p> <p>2) 20.9: Dive members to consider alternative approaches to enhance diver safety.</p>
5.4 Requirement to hold quota (quota managed species)	<ol style="list-style-type: none"> 1) Fisherman are not permitted to take quota species without holding quota. 2) Post-catch reconciliation of quota may help with optimum utilisation of fisheries resources and reducing discards. 3) Need to provide flexibility to industry. 	That NSW DPI investigates options for post catch reconciliation of quota in NSW.	20.10: NSW DPI to investigate post catch reconciliation of quota and report back to CommFish.

Topic discussed	Noted	CommFish Recommendation	Action
5.5 Fishing period for Estuary General meshing	<ol style="list-style-type: none"> 1) All fishing periods (or quota seasons) in the EG Fishery go from 1 July to 30 June the next year (i.e. financial year). 2) The proposal is seeking to change the fishing period only for meshing. 3) There was concern that the proposal would cause inefficiencies because it would make it more difficult for fishers to plan their various fishing activities for the upcoming season. 4) It was noted industry was only recently consulted on the timing of fishing periods. 	<p>That the proposal to change the fishing period for Estuary General meshing is not progressed.</p>	<p>20.7: No Change.</p>
5.6 Hanging (storing) Sea Urchin and Turban Shell	<ol style="list-style-type: none"> 1) Hanging is a term used to describe the storing of a catch in public water. Storing catch for later sale is sometimes done to optimise operational efficiency or capitalise on market prices to optimise financial return. 2) An issue with hanging in public waters is that it can be used to circumvent quota or accurate catch reporting if not appropriately regulated and enforced. 3) Noted that Red Urchin is the only species taken in the SUTS Fishery that is currently subject to quota. 4) It was raised that there is potential that hanging could increase access to the resource and lead to its over exploration. 5) It was considered that the costs of allowing hanging would outweigh the benefits and the proposal not proceed in the absence of solid justification for the change. 	<ol style="list-style-type: none"> 1) That the proposal to change the hanging (storing) Sea Urchin and Turban Shell not progress. 2) The regulations are amended to clarify that hanging of SUTS species is not permitted consistent with the outcome of public consultation when real-time reporting was introduced. 	<p>1) 20.7: No Change.</p> <p>2) 20.11: Regulations are amended to clarify that hanging of SUTS species is not permitted.</p>
5.7 Carp fishing permits in the Inland Restricted Fishery	<ol style="list-style-type: none"> 1) NSW DPI advised this is a process related issue, not a regulatory matter. 2) There are a handful of fishers who regularly request these permit, and each year around 40 to 50 are issued. 3) NSW DPI aims to issue these permits within 10 days of receipt of an application. 4) NSW DPI are currently reviewing this process and the Inland member has suggested that he would like to have input. 	<p>That the proposal relating to NSW DPIs processing of Carp fishing permits in the Inland Restricted Fishery is not progressed.</p>	<p>20.7 No Change.</p>