



**Commercial Fishing NSW Advisory Council
(CommFish NSW AC)
Meeting 19, 28 May 2021
Newcastle and via Teleconference**

Members present	Stuart Richey AM	CommFish NSW Chair
	Peter Turnell	Director, Fisheries & Aquaculture Management
	Greg Finn	Member – Ministerial Fisheries Advisory Council
	Raymond Saunders	Member – Aboriginal Commercial Fishers
	Mark Cranstone	Member – Lobster Share Managed Fishery
	Mitchell Sanders	Member – Ocean Trap & Line Share Managed Fishery
	Geoff Blackburn	Member – Estuary General Share Managed Fishery
	Darren Ward	Member – Ocean Trawl Share Managed Fishery
	Craig Shephard	Member – Sea Urchin and Turban Shell Fishery
	Steve Everson	Member – Estuary Prawn Trawl Share Managed Fishery
	Patrick Richardson	Member – Ocean Hauling Share Managed Fishery
	Stephen Bunney	Member – Abalone Share Managed Fishery
Executive Officer	Cherie Kirkman	
Invited guests	Sean Sloan, Deputy Director General, DPI Fisheries Darren Hale, Senior Fisheries Manager Darren Reynolds, A/Program Leader, Commercial Fisheries	
Apologies	John Jarvis – Member - Southern Fish Trawl Fishery Steve Hounsell – Member – Inland Restricted Fishery	

28 May 2021

1. Member Welcome, Introductions and Housekeeping

NOTED:

- Both the Chair and Estuary General member joined the meeting via Teleconference.
- Chair opened the meeting at 8:00am and welcomed Council members.
- The Aboriginal member acknowledged the traditional owners of the land, past, present and emerging.

2. Review of Agenda

NOTED:

Council accepted the agenda.

3. Review, Declarations and update Register of Interests

NOTED:

Pecuniary interest register has been updated prior to meeting and will be circulated.

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

4. Confirmation of Minutes from Meeting 18

NOTED:

Minutes from meeting 18 accepted without change, as a true and accurate record of the meeting.

5. Current actions arising from Meeting 18

NOTED:

- The following actions have been completed 14.1.3, 16.6.1, 18.1, 18.2.1 and 18.2.2.
- All other actions in progress.

6. Correspondence received

NOTED:

- The following correspondence was received and deemed to be DPI operational. The correspondence has been sent to DPI for action:
 - SUTS fishery discussion paper.
 - Prawn draw Myall River, access to Recreational fishing haven in the Manning River and beach access - Crowdy Head.
 - Education on the removal of Opera house yabby traps for recreational fishers.

7. Commercial fisheries regulation amendments – public feedback

CommFish members reviewed the public feedback on the following proposed commercial fishing regulation amendments below and provide a summary of recommendations in **Appendix B**.

1. New system of management charges for five multi-species share management fisheries
2. Longer term commercial fishing licences
3. Removal of boat licences
4. Maximum shareholding in the Lobster Fishery
5. Inland Restricted Fishery endorsements
6. Real time reporting – line fishing (eastern one)
7. Real time reporting – Eastern Sea Garfish
8. Real time reporting – ocean trawl interstate operations
9. Nominating endorsement holders
10. Assistance when using a prawn set pocket net
11. Abalone fishing period
12. Munmorah power station seasonal fishing closure
13. Updating Forster Keys Canal Estate fishing closure
14. Updating common scientific fish names
15. Listing common purposes for section 37 permits

NOTED:

- Considerable debate on the potential impacts (e.g. effort increase) of removing boat licences, especially in the Ocean Trap and Line fishery.
- Submissions received on the removal of boat licences were 50/50 in opposition and support.
- The recommendation to remove boat licensing requirements was not unanimously supported by members.

8. Update from the Deputy Director General, DPI Fisheries

NOTED:

- The Eat More Seafood grants program is open.
- CommFish should continue to work through the Business Efficiency Program proposals as a priority.
- 1st peak industry body workshop will be held with various industry associations in June.

- National Fisheries Plan with Commonwealth.
- DPI is working with industry in response to Abalone viral ganglioneuritis (AVG).
- Public consultation on the Marine Park network plan is anticipated later in the year.
- Industry should be aware of the Minderoo Foundation project – Global Fishing Index - <https://www.minderoo.org/global-fishing-index/>
- Some other fisheries jurisdictions have reported increased ‘off the boat’ seafood sales since Covid19.
- Funding is needed for the second stage of the FishOnline technology project.
- MFAC next meeting will be on the 11 June 2021. The Harvest Strategy Policy and Guidelines are on the agenda.
- The Expression of Interest for the Mulloway Harvest Strategy Working Group ended last week.

AGREE:

- Work through the Business Efficiency Program proposals as a priority.
- It is important to get funding for the second stage of the FishOnline technology project.
- On the finalisation of the Harvest Strategy Policy and Guidelines.

ACTION: 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.**

9. Business Efficiency Program

The below papers were presented to CommFish for consideration. A detailed summary and list of recommendations is provided in **Appendices C – I**.

1. Further gear changes
2. Meshing in the EG fishery (temporal and spatial controls)
3. Mud crab trapping spatial controls
4. Eel Trapping spatial controls
5. EPT spatial and temporal controls
6. Spanner crab temporal controls
7. Ocean Trawling spatial controls

10. Registered Fish Receivers

NOTED:

- The four options for the future of the registered fish receiver program that should be consulted on are:
 1. No change
 2. Reduce the fees
 3. Remove the fees
 4. Abolish the program
- To maintain the integrity of fisheries management arrangements the record keeping requirements around the sale and possession of commercially caught fish should remain under all four options.

AGREE:

- There needs to be consultation with fishers and existing registered fish receivers on the four options of the program.
- That the fees are the main burden on industry and impact the ability of fishers to diversify market opportunities.

- A review of the record keeping requirements would assist

ACTION 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.**

11. General Business

11.1. BDO EconSearch update

NOTED:

- The interviews have progressed with around 100 completed or partially completed.
- CommFish members provided feedback on how supportive the person conducting the survey was and that it was easier than they had thought it was going to be.
- There have been several fishers that have declined to participate.

AGREE:

- The success of the economic and social indicator monitoring project is dependent upon industry participation.

11.2. Finding information

NOTED:

Some fishers have difficulties locating rules and regulations on the web.

AGREE:

That it would be beneficial if links could be sent to industry members to the regulations and where to find certain closures that are not in regulation.

ACTION:

19.3 NSW DPI to investigate the sending of links to industry members.

11.3. RFNSW meeting update

The Director, Fisheries & Aquaculture Management provided an update on the recent RFNSW proposed recreational fishing management arrangements for Dusky Flathead and Lobster.

11.4. Update on the AVG – Abalone

NOTED:

- The Victorian (VIC) and Tasmanian (TAS) fisheries have been impacted by AVG. There is a huge risk to NSW Abalone.
- Biosecurity Control Orders have been issued in NSW.
- AVG is spread via equipment and infected Abalone.
- AVG is not known to occur in wild abalone stocks in NSW.
- There is no evidence that AVG has any effect on human health.
- AVG may tarnish the reputation of the NSW Abalone industry.
- The NSW Abalone industry has already been hit hard by Covid19 and the AVG impacts have compounded those impacts.

AGREE:

That the support of NSW DPI in this matter is imperative.

11.5. Vessel Monitoring System (VMS)

NOTED:

Implementation of VMS could be a benefit for fishers and NSW DPI Fisheries Compliance.

11.6. Industry standard

NOTED:

- Further support needs to be provided to Compliance when it comes to repeat offenders.
- Example mud crabbing, same offender, same offence, receives a good behaviour bond and keeps on reoffending.
- Industry needs a standard that all fishers in the industry abide by to mitigate against the damage this behaviour presents to the industry and to the community.
- Stronger penalties need to apply.

AGREE:

- This behaviour is not acceptable and is doing damage to the reputation of the commercial fishing industry in NSW.

ACTION:

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.

12. Next meeting

Next meeting date to be advised.

Meeting closed

- 28 May 2021, 2:30pm

Appendix A – Current Actions & Recommendations List for Meeting 19

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	In Progress
11.2	2. Implement a policy in relation to surrendered and forfeited shares.	NSW DPI	Meeting 13: 1. Has been completed, 2. Under investigation	2. In progress
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	2. In progress

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; and 3. Provide CommFish with the outcomes of the industry consultation.	NSW DPI	Meeting 18: 1. Completed, 2&3 in progress Meeting 19: 3. Completed on today's agenda, 2 in progress	2. In progress 3. 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		In progress
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		In progress
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	1 &2 Completed 3. In progress
16.5	NSW DPI to: 1. Provide CommFish members with the latest stock assessment report on Blue swimmer crabs for further consideration; 2. Revert back to CommFish in relation to Lobster take and possession in demersal fish traps and the Ocean Trawl fishery; and 3. 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	NSW DPI		In progress

No.	Action	Whom	Comments	Status
	<p>mm in the body of a fish trawl net should be considered at the same time;</p> <p>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.</p>			
16.6	<ol style="list-style-type: none"> 1. Retain a permitted, target and by-product species lists for the Estuary General and Estuary Prawn Trawl fisheries, respectively; and 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	2. In progress
17.2	<p>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</p>	NSW DPI		In progress
17.3	<p>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.</p>	NSW DPI		In progress

No.	Action	Whom	Comments	Status
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		In progress
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		In progress
17.8	Item 7.6: (Refer to appendix C) NSW DPI to write to the proponent to request further information.	NSW DPI		In progress
18.1	EO to forward responses to questions to Marine Park Education.	EO	Meeting 19: Completed, Sent on the 9 March 2021	Completed
18.2	1. CommFish members to provide further feedback to BDO. 2. EO to email the link to the QLD BDO reports.	Council/ EO	Meeting 19: Completed 1. Feedback sent 4 March 2021 2. Sent 23 Feb 2021 to members	Completed
18.3	NSW DPI to provide a paper on the removal of the Fish Receiver license	NSW DPI		In progress

No.	Action	Whom	Comments	Status
18.4	<p>The following items from the BEP, are recommended to move to the next step - BEP working group. (Refer to appendixes B-G)</p> <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		In progress
18.5	<p>The following items from the BEP, are recommended as no change (Refer to appendixes B-G)</p> <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) <ul style="list-style-type: none"> ○ Items 11.9 and 11.10 	NSW DPI		In progress
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	<ol style="list-style-type: none"> 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. 	<p>EO</p> <p>C/Fish</p>		

No.	Action	Whom	Comments	Status
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		
19.3	NSW DPI to investigate the sending of links to industry members.	NSW DPI		
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		
19.5	Items 1 -15 from the BEP public consultation are to be implemented as recommended by CommFish. (Refer to appendix B)	NSW DPI		
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		
19.7	Item 1.2 DPI to work with proponent and report back to CommFish (refer to appendix C).	NSW DPI		
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		
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		
19.10	Item 4.1 from the BEP is to be considered at a later date. (refer to appendix F)	NSW DPI		
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		
19.12	Item 6.1.1 from the BEP (refer appendix H) 1. DPI to work with shareholders on a co-management approach.	NSW DPI		

No.	Action	Whom	Comments	Status
	2. Move to the next step (BEP working group).			
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		

Appendix B – Commercial fisheries regulation amendments – public feedback

Topic discussed	Noted	CommFish Recommendation	Action
1. New system of management charges for five multi-species SMF	<ul style="list-style-type: none"> • There was general support for the underlying principle that if you hold more shares you should pay more. • Knowing that prices for a species are variable, the use of Sydney Fish Market prices are a reasonable estimate. • Information being collected in the economic monitoring project social BDO monitoring will assist to refine management charges into the future. 	That the new system of management charges is implemented as proposed.	19.5: To be implemented as recommended by CommFish
2. Longer term commercial fishing licences	<ul style="list-style-type: none"> • There were no key issues identified as part of the public consultation. 	That the changes to commercial fishing licences are implemented as proposed.	19.5: To be implemented as recommended by CommFish
3. Removal of boat licences	<ul style="list-style-type: none"> • Compensation was not paid when the requirements for boats to be licenced was removed recently. • Concern that removal of boat licences may increase effort, especially in the Ocean Trap and Line fishery. • In the event of an emerging sustainability issue current controls or other ways of managing catch and effort could be used. • Increasing in the EPT/EG will have benefits such as comfort, safety, value-adding such as freezing product on board • Register with phase out of boats in excess of the maximum length be implemented. • The recommendation to remove boat licences was not unanimously supported. 	<p>That the changes to boat licencing are implemented as proposed.</p> <p>New maximum boat lengths for the EPT and EG fishery should be 16m and OTL to 20m.</p> <p>Phase out boats in excess of the maximum length in the OTL, OH and OT fisheries.</p>	19.5: To be implemented as recommended by CommFish

Topic discussed	Noted	CommFish Recommendation	Action
4. Maximum shareholding in the Lobster Fishery	<ul style="list-style-type: none"> Lobster working group support the proposal. Risk of concentrated catch can be managed via other means if it is required. OTL member declared a conflict of interest and did not participate. 	That the new maximum shareholding for the Lobster Fishery is implemented as proposed.	19.5: To be implemented as recommended by CommFish
5. Inland Restricted Fishery endorsements	<ul style="list-style-type: none"> The were no key issues identified as part of the public consultation. 	That the changes to the rules relating to inland restricted fishery endorsements are implemented as proposed.	19.5: To be implemented as recommended by CommFish
6. Real time reporting – line fishing (eastern one)	<ul style="list-style-type: none"> Shorter reporting times help minimise risk of quota evasion. 24 hour would only be required if the catch is processed and reported following rest to avoid fatigue and preparing for the next fishing trip. 	That the changes to the line (east) real time reporting requirements are implemented as proposed.	19.5: To be implemented as recommended by CommFish
7. Real time reporting – Eastern Sea Garfish	<ul style="list-style-type: none"> The were no key issues identified as part of the public consultation. 	That the changes to the Eastern Sea Garfish real time reporting requirements are implemented as proposed.	19.5: To be implemented as recommended by CommFish
8. Real time reporting – ocean trawl interstate operations	<ul style="list-style-type: none"> 72 hours already applies to some other quota species and there has been no issues. 	That the changes to the Ocean Trawling real time reporting requirements are implemented as proposed.	19.5: To be implemented as recommended by CommFish
9. Nominating endorsement holders	<ul style="list-style-type: none"> A fishery -by-fishery approach is not possible for the five multi-species share management fisheries because nominations operate at the business level and many businesses operate in more than one fishery. 	That the changes to nominating endorsement holders are implemented as proposed.	19.5: To be implemented as recommended by CommFish

Topic discussed	Noted	CommFish Recommendation	Action
10. Assistance when using a prawn set pocket net	<ul style="list-style-type: none"> The were no key issues identified as part of the public consultation. 	That the changes to prawning endorsement holders working together are implemented as proposed.	19.5: To be implemented as recommended by CommFish
11. Abalone fishing period	<ul style="list-style-type: none"> The were no key issues identified as part of the public consultation. 	That the abalone fishing period is fixed in regulation as proposed.	19.5: To be implemented as recommended by CommFish
12. Munmorah power station seasonal fishing closure	<ul style="list-style-type: none"> The were no key issues identified as part of the public consultation. 	That the Munmorah power station seasonal fishing closure is removed as proposed.	19.5: To be implemented as recommended by CommFish
13. Updating Forster Keys Canal Estate fishing closure	<ul style="list-style-type: none"> The were no key issues identified as part of the public consultation. 	That the description of the Foster Keys Canal Estate closure is updated as proposed.	19.5: To be implemented as recommended by CommFish
14. Updating common scientific fish names	<ul style="list-style-type: none"> The were no key issues identified as part of the public consultation. 	That all scientific fish names are updated as proposed.	19.5: To be implemented as recommended by CommFish
15. Listing common purposes for section 37 permits	<ul style="list-style-type: none"> The were no key issues identified as part of the public consultation. 	That common purposes for issuing section 37 approvals are included in regulation as proposed.	19.5: To be implemented as recommended by CommFish

Appendix C – Outcomes from discussion on Business Efficiency Program – further gear changes

Topic discussed	Noted	CommFish Recommendation	Action
<p>1.1 Further proposals concerning fishing gear - Trap configuration: mud crab traps and fish traps in the EGF</p>	<ul style="list-style-type: none"> • There is an opportunity to modernise other aspects of the crab and fish trap regulations to address wide number of issues. • The approach involves a single regulation that describes the trap that may be used by crab or a fish trap endorsement holder and conditions of use, in such a way that important current controls are not compromised. • There is industry interest in larger crab traps to reduce theft and any issues sourcing galvanised mesh that satisfies current requirements. • Recreational fishing input would be beneficial. 	<p>A single regulation that describes the trap that may be used by a crab or a fish trap endorsement holder.</p> <p>Description of trap:</p> <ul style="list-style-type: none"> • The trap must not exceed: <ul style="list-style-type: none"> ○ 2 metres in length, 1.5 metres in width and 1 metre in depth, if rectangular, or ○ 2 metres in diameter, if circular. • The mesh of the trap must not be less than 50 mm. • The trap is not made of entanglement material (like a hoop or lift net). • The trap must have at least one entrance funnel and any entrance funnel must not be on the top of the trap. • The trap must be fitted with at least one escape gap unless the mesh size of the trap is 90 mm or greater. 	<p>19.6: Move to the next step (BEP working group).</p>
<p>1.2 Further proposals concerning fishing gear - Danish seine nets used in the Ocean Trawl Fishery</p>	<ul style="list-style-type: none"> • The regulation has not been review for many years due to little if any Danish seining in NSW until recently. • There may be capacity within DPI for a small research project to help inform appropriate adjustments to the Danish seine regulations. 	<p>CommFish recommends that DPI works with the proponent and reports back to CommFish on an appropriate net configuration and controls that may be needed.</p>	<p>19.7: DPI to work with proponent and report back to CommFish</p>

Appendix D – Outcomes from discussion on Business Efficiency Program – meshing in the EG Fishery

Topic discussed	Noted	CommFish Recommendation	Action
2.1 Allow meshing nets to be set before sunset	<ul style="list-style-type: none"> • Safety is a concern when complying with current rule. • Setting nets when there is still daylight may assist in avoiding interaction with other nets set in the same area. • Consideration needs to be given to the time it takes to get to and from fishing grounds. 	That the proposal to allow fishers to commence setting 1 hour before sunset progress to the BEP working group.	19.6: Move to the next step (BEP working group).
2.2 Allow meshing nets to be set for 3 hours in December and January	<ul style="list-style-type: none"> • Potential for increased social conflict during the summer period. • Impact on the product quality due to higher water temperatures. • Interaction with other water users such as meshing, hauling and trawl fishers etc. 	That the proposal to allow meshing nets to be set for 3 hours in December and January not be progressed.	19.8: No change
2.3 Extend the overnight seasons (meshing nets)	<ul style="list-style-type: none"> • Potential for increased social conflict. • Impact on the product quality due to higher water temperatures. • Interaction with other water users such as meshing, hauling and trawl fishers etc. 	That the proposal to extend the overnight seasons (meshing nets) not be progressed.	19.8: No change
2.4 Extend the overnight setting seasons (flathead nets)	<ul style="list-style-type: none"> • Potential for increased social conflict. • Impact on the product quality due to higher water temperatures. • Interaction with other water users. 	That the proposal to extend the overnight seasons (flathead nets) not be progressed.	19.8: No change
2.5 Meshing in the Nambucca River and Warrell Creek	<ul style="list-style-type: none"> • Due to the potential for social conflict, CommFish recommended that further engagement with RFNSW would be more appropriate. 	That the meshing in the Nambucca and Warrell Creek proposal is not progressed at this stage. Requiring further discussion with RFNSW.	19.9: Further discussion required with RFNSW
2.6 Meshing in the Macleay River	<ul style="list-style-type: none"> • The Macleay River is renowned for Australian Bass and recreational fishing for Australian Bass. • The current arrangements aim to minimise mortality of the Australian Bass. • Consideration was also given to product quality, selectivity of nets and bycatch. • Potential for increased social conflict. 	That the meshing in the Macleay river proposal is not progressed.	19.8: No Change

Topic discussed	Noted	CommFish Recommendation	Action
2.7 Overnight and 3-hour setting in Port Stephens	<ul style="list-style-type: none"> The social impact to other uses due to the closure is located immediately adjacent to the township of Shoal Bay which is a popular tourist destination and subject to high water traffic. Current arrangements seem to be appropriate. 	That the proposal for overnight and 3 hour setting in Port Stephens not be progressed.	19.8: No Change
2.8 Meshing in Wallaga Lake and Moruya River on weekends	<ul style="list-style-type: none"> Commercial mesh netting on weekends is generally closed to reduce conflict with other stakeholders including recreational fishers. 	That the meshing in Wallaga Lake and Moruya River on weekends proposal is not progressed.	19.8: No Change
2.9 Meshing in Merimbula Lake	<ul style="list-style-type: none"> Due to the potential for social conflict, CommFish recommended that further engagement with RFNSW would be more appropriate. 	That the meshing in Merimbula Lake proposal is not progressed at this stage. Requiring further discussion with RFNSW.	19.9: Further discussion required with RFNSW
2.10 Meshing in all other waters in region 7	<ul style="list-style-type: none"> Potential for increased social conflict. Interaction with other water users. 	That the meshing in all other waters in regional 7 proposal is not progressed.	19.8: No Change
2.11 Expanding where flathead nets may be used	<ul style="list-style-type: none"> Meshing nets are already used to target Dusky Flathead in most if not all the estuaries concerned. The flathead net may potentially present new bycatch mortality issues. Potential for increased social conflict. 	That the proposal expanding where flathead nets may be used not be progressed.	19.8: No Change

Appendix E – Outcomes from discussion on Business Efficiency Program – mud crab trapping spatial controls

Topic discussed	Noted	CommFish Recommendation	Action
3.1 Crab trapping in Warrell Creek (Nambucca River)	<ul style="list-style-type: none"> • Mud Crab are now quota managed for commercial catch. This supports the moves to improve fishing efficiency including by granting access to old areas. • The traps have minimal impact on habitat and bycatch is generally low. • Mud Crabs can already be taken in these waters, just not in traps. • There may be benefit to both commercial and recreational fishers. 	<p>That the proposal to allow mud crab traps to be used in the waters concerned progress to the BEP working group.</p>	<p>19.6: Move to the next step (BEP working group).</p>

Appendix F – Outcomes from discussion on Business Efficiency Program – eel trapping spatial controls

Topic discussed	Noted	CommFish Recommendation	Action
<p>4.1 Eel trapping in freshwater, dams and impoundments</p>	<ul style="list-style-type: none"> • This is similar to the two proposals that CommFish considered at meeting 13 that related to the taking of eels in non-tidal waters only. • Any environmental assessment would need to consider the full range of social, environmental and economic issues associated with eel trapping in dams, impoundments or non-tidal waters. • The EG member declared a conflict of interest and did not vote. 	<p>CommFish recommends that the eel trapping in freshwater, dams and impoundments be considered at a later date, potentially when the fishery stabilises (i.e. catches and markets) and the TAC is reviewed from 2024.</p>	<p>19.10: To be revisited at a later date.</p>

Appendix G – Outcomes from discussion on Business Efficiency Program – EPT spatial & temporal controls

Topic discussed	Noted	CommFish Recommendation	Action
5.1 Proposal concerning Clarence EPT – Possession of nets and travel time provision	<ul style="list-style-type: none"> • If the 1-hour travel time provision is removed, it would be unlawful to be in possession of a trawl net in, on or adjacent to the waters of the fishery unless during the 'operating hours' • This issue is not specific to the Clarence EPT and it is logical to address the issue across all fisheries and waters. • There are benefits in amending the Act or regulations under the Act such as: <ul style="list-style-type: none"> ○ Cost reduction to Fisheries Officer resource having to write thousands of written authorities each year. ○ Reduce the burden of the judicial system with fishers having to prove in court that the fishing gear was in possession for a lawful purpose. 	CommFish recommends that DPI investigate and report back to CommFish on amending the Act or regulations to authorise the possessions of fishing gear in, on or adjacent to waters in specified [low-risk] circumstances and in those circumstances not require a person to prove in a court of law that the fishing gear was in possession for a lawful purpose.	19.11: DPI to investigate and report back to CommFish on amending the Act or regulation.
5.2 Proposal concerning Clarence EPT – Broadwater closure line	<ul style="list-style-type: none"> • The relocation of the closure line would: <ul style="list-style-type: none"> ○ Create a safe navigation path and turning circle. ○ Reduce the risk of fishers breaching the closure line. • The proposal does not impact other fisheries. • DPI will GPS the new posts, amend the regulation and update relevant information regarding the change. 	CommFish recommends that the proposal to move the closure line progress to the BEP working group.	19.6: Move to the next step (BEP working group).

Appendix H – Outcomes from discussion on Business Efficiency Program – spanner crab temporal controls

Topic discussed	Noted	CommFish Recommendation	Action
<p>6.1 Proposals concerning Spanner Crab – Male and female closed seasons</p>	<ul style="list-style-type: none"> • Previously the east coast Spanner Crab stock was assessed as depleting. • A new stock assessment is due soon. Indications are the stock may be sustainable. • Commercial catch in NSW and QLD is quota managed. • Egg-bearing females cannot be retained, and the size limit is set to allow mature crabs to spawn at least once. • Adjusting the spawning closure is unlikely to present social issues. • Key issues for consideration: <ul style="list-style-type: none"> ○ Economics (i.e. accessing Christmas markets). ○ Building biomass – protecting spawning female crabs. 	<p>CommFish recommends that:</p> <ol style="list-style-type: none"> 1. DPI work with shareholders on a co-management approach to flexible seasonal closures 2. The interim, change the male spawning closure period to 15 November to 14 December (inclusive) for increased access to the Christmas market progress to the BEP working group. 	<ol style="list-style-type: none"> 1. 19.12 DPI to work with shareholders on a co-management approach. 2. 19.6 Move to the next step (BEP working group).

Appendix I – Outcomes from discussion on Business Efficiency Program – ocean trawling spatial controls

Topic discussed	Noted	CommFish Recommendation	Action
7.1 Proposals concerning OT spatial & temporal controls – Northern fish trawl – northern boundary	<ul style="list-style-type: none"> • The proposal presents several concerns, including the potential: <ul style="list-style-type: none"> ○ impact on fish stocks. ○ interaction with Lobster/fish trap and prawn trawl. ○ bycatch relating to longer sweeps. ○ social conflict and contention with community. • Only a few species are quota managed while many species are caught. • Both the OT and EPT members declared a conflict of interest and did not vote. 	<p>That the proposals concerning OT spatial and temporal controls – Northern fish trawl – northern boundary not to be progressed.</p>	<p>19.8: No Change.</p>
7.2 Proposals concerning OT spatial & temporal controls – juvenile king prawn closure	<ul style="list-style-type: none"> • The fishery has changed significantly since the closures were introduced. • A three-year collaborative research project on these closures will be publicly available soon. • Careful consideration in direct consultation with relevant shareholders would be critical to the future management beyond opening these closures during daylight hours for harvesting School Prawn. 	<p>CommFish recommends that DPI and relevant shareholders discuss the results of recent research and future management of the closures, potentially including a new approach to co-management, for consideration by CommFish.</p>	<p>19.13: DPI to work with relevant shareholders and report back to CommFish for further consideration.</p>