

ESTUARY GENERAL MANAGEMENT ADVISORY COMMITTEE MEETING

AGENDA

14 December 2007

9:00 am to 5:00 pm

Cronulla Fisheries Research Centre
Cronulla, NSW 2230

Chairperson

Mr Patrick Appleton

Management Advisory Committee Representatives

Vacant	Region 1
Mr Glenn Dawson	Region 2
Mr Geoff Blackburn	Region 3
Mr Peter Ragno	Region 4 (North)
Mr Jim Drinkwater	Region 4 (South)
Mr Edward Allan	Region 5
Mr Russel Massey	Region 6
Mr Paul Stanford	Region 7
Mr Malcolm Poole	Recreational
Vacant	Nature Conservation Council
Darren Reynolds	Director-General's nominee

Observers

Dianna Watkins	NSW DPI Manager, Commercial Fisheries
Mathew Richardson	NSW DPI Compliance
Douglas Rotherham	NSW DPI Research

**EGMAC AGENDA
14 December 2007**

Welcome and Apologies	Chairperson
Agreement on agenda	Chairperson
Confirmation of draft minutes of 1 September 2006	Chairperson
Correspondence sent and received	Chairperson
1. Business arising from the minutes	Chairperson/DPI
2. Updates	Industry/DPI
3. Marine Pests	DPI
4. Caulerpa taxifolia	DPI
5. Share Management Plans and Stage 2 Regulation Reform	DPI
6. Square-mesh codends	DPI
7. Unlicensed assistance in the EG fishery	Industry
8. Eel Trapping Issues	Industry
9. Export Approval for the Estuary General Fishery	DPI
10. Prawn Set Pocket Net Priority Determinations	DPI
11. Mesh Nets	Industry
12. Other business	Chairperson
13. Chairperson's summary and next meeting date	Chairperson

Chairperson

Issue

Welcome and Apologies

Background

Chairperson

Issue

Agreement on Agenda

Background

A notice of the meeting and call for agenda items was circulated to committee members, Regional Industry Convenor, Fishermen's Co-operatives, other interested parties and regional offices of the Department of Primary Industries on 25 October 2007.

A draft agenda has been circulated to all Committee members, co-operatives and coastal fisheries offices. Additional items may be proposed for discussion during other business, subject to approval by the Chairperson.

Chairperson

Issue

Confirmation of draft minutes from the previous meeting on 30 March 2007.

Background

Draft outcomes for the EGMAC meeting on 30 March 2007 were circulated amongst MAC members for comment prior to being distributed to the Regional Industry Convenor, Fishermen's Co-operatives, other interested parties and regional offices of the Department of Primary Industries.

Comments were received from the Region 2 Representative advising that Region 2 does not support (1) the implementation of 27mm-32mm square mesh codends for set pocket prawn nets, prawn haul nets, prawn seine nets and (2) increasing the minimum size of diamond mesh in the set pocket net codend from 30m to 32mm.

DPI position

The Region 2's dissenting views are noted however there was a quorum at the 30 March 2007 EGMAC meeting that supported the proposals.

Chairperson

Issue

Correspondence received and sent.

Background

A list of correspondence received is attached for the Committee to note.

EGMAC CORRESPONDENCE LIST

Date	From	Issue	To	Action
1/05/2007	NSW DPI	Copy of approved FMS for the NSW Ocean Trawl Fishery	Chair	FYI
19/06/2007	Chairperson	Chairperson report of the EGMAC meeting held on 30 March 2007	Minister	FYI
23/06/2007	Region 2 Rep	Comments on the draft outcomes from the EGMAC meeting held on 30 March 2007	EGMAC	FYI
27/07/2007	NSW DPI	Media release informing of the bag and size limit changes	EGMAC	FYI
3/08/2007	Minister	Advising of the study that will look closely at the options for adjustment in the five new share managed fisheries	EGMAC	FYI
3/08/2007	NSW DPI	Availability of approved FMS for the NSW Lobster Fishery	Chair	FYI
13/08/2007	NSW DPI	Availability of approved FMS for the NSW Abalone Fishery	Chair	FYI
16/08/2007	EGMAC	Letter of support - Evaluating the environment drivers of mud crab catches in Australia	Dr Mark Grubert, Northern Territory DPI	FYI
5/09/2007	NSW DPI	Summaries of recently completed research by Dr Matt Broadhurst	EGMAC	FYI
3/10/2007	NSW DPI	Advising of the fishing closure in Wallagoot Lake following the identification of beds of <i>Caulerpa taxifolia</i>	EGMAC	FYI
26/10/2007	EGMAC	Letter of support – Pipi breeding and reseedling project	Seafood Quality Assurance association	FYI
26/10/2007	NSW DPI	Seeking comment on a proposal to ban the use of abalone viscera (gut) as bait in order to reduce the risk of transmitting an abalone virus	EGMAC	For Comment
2/11/2007	NSW DPI	Procedural matters for MAC meetings	Chair	FYI
6/11/2007	NSW DPI	Participation in MAC meetings	Chair	FYI

Issue

Business arising from the previous meeting.

Background

An action status list is attached for the Committee to note.

Items complete and previously noted by the EGMAC as complete have been removed from the list.

Only action items included in the outcomes for the EGMAC meeting on 30 March 2007 are included in the attached Action Status List (not the recommendations from that meeting).

It is recommended that the EGMAC reviews the Action Status List with the objective of removing those actions that are not a priority or are no longer relevant.

Action Status List for the EGMAC – Updated November 2007

Recommendation/Resolution/Action	Meeting	Responsibility	In Progress	Pending	Complete	Ongoing
Advise the Committee of possible costs associated with the implementation of RFGs at the next meeting as per the FMS.	November 2004	DPI		✓ DPI resources have been committed to implementation of SMFs		
DPI to review the number of hoop/lift nets and crab traps that may be used at one time, authorised times of operation and species that can be retained by mud crab trapping endorsement holders.	June 2005	DPI				
Region 7 fishers to liaise with relevant stakeholder groups regarding the partial opening of certain RFH's to commercial fishing.	October 2005	Industry		✓		
DPI to consider funding options for the proposed Handgathering stickers.	October 2005	DPI			✓ Stickers are available	
Consult with fishers regarding the resolution of crab trapping issues.	March 2007	Industry	✓			
DPI to provide the committee with an update on the Mulloway recovery program at the next meeting	March 2007	DPI			✓ Provided in research update	
Provide advice on high priority closures for consideration by SIAC.	March 2007	Industry	✓ Identified closures under consideration			
Provide MAC with most recent fisher numbers at each meeting.	March 2001	DPI				✓
DPI Conservation to provide the EGMAC an annual update on habitat rehabilitation and conservation research programs.	EGFMS					✓

Issue

Updates

Background

Opportunity is provided for members to provide an update on regional issues relating to the management of the EG Fishery. Following are updates provided by DPI on contemporary issues that may be of interest to stakeholders in the EG Fishery.

Seafood Services Australia (SSA)

SSA provides a range of services to promote and develop a sustainable Australian seafood industry and is funded in part through your contributions to the Fisheries Research and Development Corporation (FRDC). The SSA manages a range of programs relating to the seafood supply chain, environmental management, seafood safety, seafood quality, market access and industry development. SSA has recently revamped its program with increased focus on security of supply, security of markets, product integrity and the promotion of innovative industry developments initiative. To find out more about SSA and its services visit www.seafood.net.au.

Seafood Directions

A small contingent of commercial fishers from NSW and two representatives from DPI recently attended Seafood Directions 2007 in Hobart. The conference focused heavily on industry issues relating to accreditation of commercial fisheries, co-management, climate change, marketing and human resource development.

Australian Council of Prawn Fishers

The Australian Council of Prawn Fishers (ACPF) is funded in part through your contributions to the FRDC and has taken on the role of representing and developing Australian wild-catch prawn fisheries. The ACPF recently launched the ACPF Fisheries Research and Development Strategic Plan (FRDC 2005/308). A copy of the plan can be obtained by contacting FRDC. Due to the departure of the NSW industry representative on the ACPF, Mr John McGuren, a new representative is required.

Seafood Industry Advisory Council (SIAC)

SIAC met on 1 June 2007 and covered a raft of issues some of which will affect the future of every commercial fisher. The most notable being the SIACs endorsement of the terms of reference for the engagement by DPI of an independent consultant to provide recommendations on a structural adjustment strategy to deliver more profitable and sustainable commercial fisheries in NSW (see below). The main issues discussed by SIAC at this meeting can be viewed on DPI's website at:

www.dpi.nsw.gov.au/fisheries/commercial/siac/message

Report on Structural adjustment in NSW commercial fisheries

Independent consultant Mr Richard Stevens has conducted a study into the Structural Adjustment of the NSW's commercial fisheries. The report is being considered by the NSW Government now.

Share Appeals

The Share Appeal Panel has met twice this year to formalise withdrawals and for preliminary consideration of a number of applications. DPI's submissions to applicants have commenced and the first round of hearings will be held early in 2008.

Beach access – Department of Environment and Climate Change

The Department of Environment and Climate Change (DECC) is in the process of reviewing the procedural guidelines for the Professional Fishing Access Policy. It is proposed that permits will be required by fishers who utilise DECC estates to undertake commercial fishing activities or activities ancillary to commercial fishing. DPI will provide a copy of the proposed policy to the EGMAC for comment when it becomes available.

Licensing update - share transfers

DPI has been asked by SIAC to make a presentation on the share transfer transaction process at the next SIAC meeting. DPI also proposes to develop a user friendly guide to assist commercial fishers and other interested parties through the share transfer process. Mr Laurie Derwent, Manager Fisheries Business Services, will discuss:

- the number of share transfer applications received since 5 February 2007;
- the number of share transfer applications received for the EG fishery
- the timeframes for processing share transfers
- samples of reported values of transactions for the EG fishery
- questions from Industry

Research

Dr Douglas Rotherham will provide an update on research projects relevant to the EG fishery.

Maximising the survival of bycatch released from commercial estuarine fishing gears in NSW – Dr Matt Broadhurst. A summary of this recent research is provided in **attachment 1**.

Pipis

The Seafood Quality Assurance Association has lodged a funding application with FRDC to undertake a Pipi Breeding and Reseeding Program. If the application is successful the project will be a unique opportunity to trial pipi stock enhancement and may contribute to the sustainability of that sector of the EG fishery.

Mud Crabs

The Northern Territory Department of Primary Industries and Fisheries Management has lodged a funding application with FRDC to investigate the environmental processes that drive mud crab catches. The study will examine these processes at the regional, jurisdictional and national level and will increase stakeholder's knowledge of the mud crab resource.

Compliance

A summary of compliance matters relevant to the EG fishery will be presented. This will include summaries of interactions between Industry and Fisheries Officers, seizures (if any) and outcomes of prosecutions undertaken.

Outcome

Agenda Item 3**DPI****Issue**

Marine pests and their relevance in the EG fishery.

Background

Objective 1.4 of the EGFMS is commits to implementing, in consultation with the MAC, measures required in accordance with any marine pest or disease management plans.

Background information on marine pests and their relevance for the EG fishery including are provided in **attachment 2**.

For discussion.

Outcome**Agenda Item 4****DPI****Issue**

Caulerpa taxifolia

Background

Caulerpa taxifolia is known to occur in 13 NSW estuaries and lakes, with the most recent discovery in Wallagoot Lake, on the far south-coast of NSW in July 2007.

NSW DPI has implemented new Section 8 Closures covering the areas of infestation in Durras Lake and Wallagoot Lake. These two new closures are in addition to the existing Caulerpa closures that have been in operation since 2006, covering known areas of Caulerpa including Pittwater, Burrill Lake and Lake Macquarie.

Targeted control work was undertaken in Wallagoot Lake during the week of 22 October 2007, in an effort to control this infestation. Monitoring during early 2008 will determine the success and whether there is a need to return to conduct further salt control work.

Of particular interest is the number of south coast estuaries where Caulerpa has been identified this year, Batemans Bay, Durras Lake and Wallagoot Lake. To better understand why there has been a rapid increase in the number of south coast estuaries affected the Aquatic Biosecurity and Aquatic Ecosystems Units are undertaking a review of the commercial and recreational fishing vectors that may be influencing the translocation of Caulerpa. The result of this review could be a change to the way Caulerpa closures are currently implemented.

DPI will also be reviewing existing Caulerpa closures across the coast after the current summer sampling period, to ascertain if any changes need to be made due to changes in distribution of the aquatic pest.

For discussion.

Outcome

Agenda Item 5**DPI****Issue**

Share Management Plans and Stage 2 Regulation reform

Background

A number of amendments to the *Fisheries Management (General) Regulation 2002* ("the General Regulation") and the movement of provisions from the General Regulation into relevant SMPs were postponed due to the tight time frame for implementing the plans by February 2007.

Since the implementation of SMFs resources have focussed on (a) identifying current regulations that can be included in the Plan for each fishery (b) identifying any new regulations that need to be developed as part of the FMSs and (c) identifying fishing closures that can be included in the plans. The objectives of this program include:

- To ensure easy access to the regulatory provisions relevant to a fishery
- To cover off on amendments consequential to the introduction of Share Management Fisheries
- To remove outdated regulation and 'red tape'
- To ensure regulation appropriately assigns Government and Industry responsibility
- To streamline regulation and set up cost effective frameworks for adaptively managing activity
- To reduce costs associate with maintaining fishing closures
- To remove inconsistencies between current fishing closures and new Marine Park zones

DPI proposes to mail to all fishing business owners and fishers an information paper outlining the changes proposed, and encourages fishers to discuss any issues arising with their local MAC representative. To assist MAC members a summary of the regulatory changes is provided in **attachment 3**.

For discussion.

Outcome**Agenda Item 6****DPI****Issue**

Square-mesh codends

Background

The mandatory use of square mesh codends in the EG fishery has been approved in line with the requirements of the EGFMS. Industry representatives have raised issues concerning the introduction of square-mesh codends especially regarding codend specifications and implementation date.

DPI position

DPI acknowledges the concerns of fishers and has been liaising with industry representatives. DPI is giving the matter careful consideration with the aim of achieving a balance between the demonstrated benefits of square mesh codends and maintaining

industry's capacity to maintain catches. The MAC will be advised of any changes and proposed implementation dates as soon as practicable.

In accordance with the EGFMS, DPI is preparing a policy regarding Industry instigated and funded research into potential amendments to gear.

During the 2006/07 financial year, DPI ran a project in which northern rivers commercial fishers were eligible to receive free best-practice (i.e. square mesh with a composite panel BRD) codends for use in the ocean prawn trawl sector of the Ocean Trawl Fishery. The project was funded by the Northern Rivers Catchment Management Authority (NRCMA). A new project is under development with the NRCMA for the current financial year in which DPI hopes to offer 27 mm square-mesh codend material to commercial fishers working north of Camden Haven, free of charge. If the funding bid is successful, relevant endorsement holders will receive more detailed information in the mail before Christmas.

It should be noted that OTMAC has raised concern regarding the harvest of juvenile king prawns and have shown interest in cross fishery consultation with the objective of resolving prawn issues relevant to ocean and estuarine fisheries.

For discussion.

Outcome

Agenda Item 7

Industry

Issue

Use of unlicensed assistance in the EG fishery

Background

Industry members have raised concern regarding the use of unlicensed assistance in the EG fishery. At the previous EGMAC meeting DPI advised that it was reviewing the policy pertaining to unlicensed assistance permits issued under section 37 of the Act.

Under the provision of clause 14(2) of the EG SMP the use of unlicensed assistance is authorised when taking fish in the fishery by use of a seine net (prawns).

DPI position

Fishers have greater flexibility in terms of the day to day operation of their fishing business due to the new share management arrangements. More specifically, fishers can now nominate another licensed commercial fisher to work their fishing business, seek the assistance of another licensed commercial fisher with the appropriate endorsement/s or restructure their fishing business as desired.

No more permits issued under section 37 of the Act authorising the use of unlicensed assistance will be issued to EG fishers unless there are extenuating reasons why the licensing arrangements applicable to all shareholders cannot be applied.

Potential exists to remove the provision in the EG SMP that authorises the use of unlicensed assistance in the EG fishery during prawn seining operations.

For discussion.

Outcome

Agenda Item 8

Industry

Issue

Eel Trapping Issues.

Background

Some Industry members have raised concern regarding the increase in the minimum legal length (MLL) of eels from 30 to 58 cm. Specifically, the difficulty in measuring eels and the preference of a minimum legal weight of 500 grams rather than the MLL of 58 cm.

DPI position

Considerable research on eels has been done by DPI. The species exhibits high longevity and relatively slow growth with higher growth rates associated with estuarine areas. The minimum age and size at sexual maturity is 7 years (440mm) for males and 10 years (740mm) for females. Males are found almost exclusively in estuarine waters and females are relatively abundant in both estuarine and fresh water. The female strategy is to live longer to maximise fecundity with the inherent risk of increased mortality. The male strategy is to reach sexual maturity rapidly over a small size and age range, with a lower risk of mortality. This may explain why males occur in productive estuarine areas and are scarce upriver, with females preferring less productive habitats further from the sea

The increase in MLL will enhance the protection of male spawning stocks in estuarine waters.

Note that a new DPI Eel Harvest (Farm Dams and Impoundment) Policy became effective on 27 November 2007 and applies to the commercial harvest of eels from farm dams and impoundments in NSW. Attachment 3 is a summary of the policy.

Potential exists to increase the maximum mesh size permissible in eel traps to facilitate the escape of eels under the MLL.

For discussion.

Outcome

Agenda Item 9

DPI

Issue

Export Approval for the Estuary General Fishery

Background

The EG Fishery was granted a five year exemption from the export regulations of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) in 2003. The exemption was issued following a formal ecological sustainability assessment under the EPBC Act. The exemption expires on 25 April 2008 unless the fishery is reassessed and a new export approval granted prior to the expiry.

The Commonwealth Department of the Environment and Water Resources (DEWR) is now seeking advice on whether a renewal of the export approval for the EG fishery is required beyond the expiry date. NSW DPI is proposing that industry should be given the opportunity to exercise a leadership role in making decisions to seek export approvals and accepting any necessary conditions, and therefore is seeking EGMAC's advice in this regard.

An application for renewal of the export approval would require NSW DPI, on behalf of industry, to prepare and submit information to assist DEWR to undertake the fishery reassessment. NSW DPI is seeking confirmation from DEWR regarding the level of information required to undertake a fishery reassessment. Depending on the outcome of this, NSW DPI will advise EGMAC if any additional resources and associated funding may be required.

Please note that no new assessment work is required to maintain the environmental approval for the fishery under NSW environment law.

The Committee's advice is sought on whether a renewal of the export approval for the EG Fishery is required beyond the expiry date on 25 April 2008.

For discussion.

Outcome

Agenda Item 10

DPI

Issue

Prawn set pocket net priority determinations

Background

Prawn set pocket net priority determinations (ballots) are conducted by District Fisheries Officers (DFOs). DFOs adhere to the provisions set out in the relevant clauses of the General Regulation in order to determine fishers rights of priority. The regulated process offers no flexibility in terms of any industry initiated adaptive management of the determinations. In addition the process is extremely resource intensive for DPI.

DPI position

De-regulating and handing over to Industry control of ballots has been generally well received by Industry representatives. Authority will remain vested in DFOs to determine the number and location of set pocket net sites and to enforce priority determinations made by Industry.

The Committee's input is sought to assist in the development of a framework to guide Industry in conducting ballots. Some issues to consider include:

- Flexibility to hold ballots at times convenient to industry
- Responsibility of conducting ballots
- Level of DPI involvement
- Conflict resolution

For discussion.

Outcome

Agenda Item 11**Industry****Issue**

Mesh nets

Background

Industry in regions 2 and 6 have requested an extension of the mesh net setting season. Region 2 requests that set mesh nets be permitted in the month of September. Region 6 requests that set mesh nets be permitted in the month of May.

Region 4 (south) have requested that the 300 mm buoy be reduced to 200 mm.

DPI position

Extensive consultation with all relevant stakeholders regarding the set mesh net arrangements occurred when overnight setting of mesh nets was to be provided for in regulation. The current arrangements were negotiated and agreed to by the EGMAC of the time. In line with the requirements of the EGFMS, DPI does not support any changes to the months of operation of set mesh nets or the size of the buoy required to mark the net.

Outcome**Agenda Item 12****Chairperson****Issue**

Other business.

Background**Outcome****Agenda Item 13****Chairperson****Issue**

Chairperson's summary and next meeting date

Background**Outcome**

Mortality of discards from NSW estuarine fishing gears – Dr Matt Broadhurst*Non-technical summary*

In addition to the targeted species, many of the commercial fishing gears used throughout NSW estuaries also catch unwanted organisms (collectively termed 'bycatch'), which are subsequently discarded. During the past 15 years, considerable research has been done to reduce bycatches, mostly via physical modifications to gears. Many of these modifications have been effective in reducing unwanted catches by up to 90%. However, because of the quantities of bycatches, and especially by prawn trawls (i.e. 1000's of individuals per deployment), there remains considerable discarding and, potentially, unwanted mortalities. Other management strategies, such as changes to operational and/or post-capture handling procedures, might help to minimize mortalities to this remaining component of discarded bycatch. Our aims in this three-year project, therefore, are to (i) quantify the immediate and short-term (up to 5 days) fate of key discards from the main estuarine fishing gears, and (ii) test the utility of simple operational and post-capture handling modifications that maximise survival.

Since the project started 2 years ago, data have been collected for more than 20 species discarded from several estuarine gears (fish hauls and mesh nets and prawn seines, hauls and trawls). This work has demonstrated that many factors have differential impacts on mortalities, depending on the gears used and the discarded species of concern. In general, irrespective of the fishing method, soft-bodied fish such as silver biddy and southern herring have incurred substantial scale loss and high mortalities, whereas other more hardy species of fish like catfish and the harder-scaled yellowfin bream and tarwhine, or crustaceans like school prawns and crabs were more resilient with mortalities nearly always less than 50%, and in some cases only around 20%. The survival of these later species, and especially school prawns, after being discarded from towed gears (e.g. seines and trawls) was considerably improved by shorter gear deployments and quickly sorting in water.

These results are quite promising, both in terms of the survival of some key species currently released after being caught by commercial estuarine fishers in NSW, but also for reducing mortalities. Further work is being done to more closely examine the utility of other modifications to operational and post-capture handling procedures. It is anticipated that isolating such simple strategies will contribute towards the sustainability of local fisheries resources.

Marine pests and their relevance for the Estuary General Fishery

Marine pests are plants or animals, usually introduced from overseas, that have a significant impact on our marine industries and environment. They can include mussels, crabs, seaweeds, sea stars and other marine species. However, not all marine pests are from outside Australia. Some are native to other regions of our country and have been transported into NSW. Marine pests have been introduced to and moved around Australia by a variety of human-induced means. These include ballast water and sediments, biofouling (marine organisms that attach to objects immersed in salt water, such as ships hulls), aquaculture operations and aquarium imports.

How could marine pests affect the commercial fishing industry?

Marine pests can cause considerable economic damage and environmental impacts to many marine industries, including commercial fishing. For example, black striped mussels were introduced to Darwin harbour in 1999. Clean up costs incurred were in the order of \$2.2 million. The marina was closed to all vessels for four weeks. Other pests may compete with or prey upon native species, entangle in boat anchors, fishing nets and trawling gear leading to increased catch sorting times and reduced efficiency. Populations of European Green Shore Crabs have been found in southern areas of NSW. This species in Tasmania is a major cause of decline in native crab and mollusc populations. In NSW, some areas have been closed to netting due to the presence of the invasive green seaweed *Caulerpa taxifolia*.

Significant marine pests in NSW

Significant marine plant and animal pests already established in NSW include:

- Aquarium Caulerpa (*Caulerpa taxifolia*)
- European/ Green shore crab
- New Zealand screw shell and
- European fan worm
- Wild growing populations of Pacific Oyster

There are other introduced species which have become established in marine waters outside of NSW, and are considered a potential threat to our marine biodiversity and fishing industry if transported here. These include the Northern Pacific seastar, Japanese seaweed / wakame, European clam and Asian green mussel.

What is the government doing?

In order to protect industry and the environment, NSW Department of Primary Industries is working collaboratively with the Australian Government and other state and territory governments to implement a National System for the Prevention and Management of Marine Pest Incursions.

The National System has three major components:

1. Prevent the introduction and movement of marine pests within Australian waters
2. Provide a coordinated emergency response to new incursions and translocations and
3. Manage and control marine pests already in Australia

A communications program is part of the National System. This program will focus on raising community awareness on marine pests and what different industries can do to help protect themselves from marine pests.

How can industry protect itself?

Many operators are ahead of the game and already take actions which help prevent the spread of marine pests. However, we'd like to encourage operators in your fishery to learn and practice what extra they can do to protect their livelihood. The fishing industry is developing voluntary best practice guidelines to help prevent the invasion and spread of

marine pests to ports and fishing grounds. DPI will be communicating further with fishers once these are finalised.

Please encourage operators to:

1. Learn and follow the best practice guidelines to protect your fishery from invasive marine pests.
2. Learn how to recognise marine pests and report sightings.

These actions will assist in preventing a major marine pest incursion which could affect your fishery.

Proposed amendments to Fisheries Management (Estuary General Share Management Plan) Regulation 2006, Fisheries Management (Supporting Plan) Regulation 2006 and the Fisheries Management (General) Regulation 2002

A number of amendments to the Fisheries Management (General) Regulation 2002 ("the General Regulation") and the movement of provisions from the General Regulation into the Fisheries Management (Estuary General Share Management Plan) Regulation 2006 (the EGSMP) were postponed due to the tight time frame for implementing Share Management Fisheries by February 2007.

Following is a summary of proposed regulation amendments relevant to the EG fishery. DPI proposes to prepare an information paper to inform fishers and fishing businesses owners of the changes prior to the end of the year.

Proposed regulation changes

- Movement of fishery specific provisions (gear) into the EGSMP (decisions on prawn gear codend specifications pending)
- Movement of relevant section 8 closures into the EGSMP and amendments to minimise inconsistency with the Marine Park zoning rules (decisions on potential amendments to closures identified by EGMAC pending)
- Authority for DPI to refuse transfer of shares if fees payable in respect of the fishing business are outstanding
- Revised penalties for various 'penalty notice offences' (generally new offences) such as;
 1. Breach of endorsement conditions in SMF (\$500)
 2. Breach of licence conditions (increase from \$200 to \$500)
 3. Failure to make record of catch (increase from \$200 to \$300)
 4. Notice of transfer of external authorities (\$200)
 5. FB owner not to give FB card to a person not nominated for business (\$300)
 6. Nominee to return FB card to FB owner if nomination revoked (\$200)
- Carriage of commercial fishing gear through various Recreational Fishing Havens
- Enable certain fishing closures made under section 8 of the Act to prevail over the EGSMP including closures that relate to;
 1. Protecting seagrass in estuaries (and other habitats as needed)
 2. Food safety
 3. Pollution events
 4. Fish kills
- Provide for the use of landing nets as an ancillary aid to all lawful commercial fishing gear
- Provide for 57 mm mesh in the bunt of the general purpose haul net
- Provide for the use of a try net as an ancillary aid to prawn haul and seine nets
- Potentially moving methods authorised by section 37 permits into the EGSMP including:
 1. Set pocket net in Lake Innes
 2. Prawn seine net in Smiths Lake and clover leafing in Wallis Lake
 3. Flathead nets in Tuggerah, Wallis and Smiths Lakes
 4. Whitebait net in Broken Bay
- Prohibition on hauling over seagrass beds as identified on gazetted maps

Commercial Eel Harvest from Farm Dams and Impoundments

To harvest eels commercially from farm dams and/or impoundments, a person must be a licensed commercial fisher endorsed with respect to Estuary General shares and have an Eel Trapping - Farm Dams and/or an Eel Trapping - Impoundment permit which may be issued annually by the Department subject to the terms and conditions outlined below.

To be eligible for a permit a licensed fisher must hold an eel trapping endorsement in the Estuary General fishery and have held an Eel Trapping - Farm Dams and/or an Eel Trapping - Impoundment permit for a preceding year. If a current permit holder does not possess an eel trapping endorsement as of the effective date of this policy they must obtain such an endorsement within 2 years (from effective date of this policy) for the permit to be reissued.

Eel Trapping Farm Dams or Eel Trapping Impoundment permits will not be issued to persons who have not previously held a permit.

The permit is not transferable and will be cancelled and not reissued if the permit holder ceases to hold both a commercial fishing licence and an eel trapping endorsement, sells a fishing business a component of which was an eel trapping endorsement or reduces their estuary general – eel trapping shareholding below the minimum set out in the Estuary General Share Management Plan. Accordingly, new Fishing Business owners will not be issued with a permit.

If a permit holder is convicted of any fisheries offence related to the taking of eels, the permit will be cancelled and the person becomes ineligible for a permit.

Each permit will specify the method authorised and is subject to specific conditions that are outlined in the permit. If the permit holder fails to comply with the method specified or any condition, the permit will be cancelled and the person becomes ineligible for a permit.

The permit may be issued annually on application to the Department (fees apply) and will expire on the 30 June of the following year. If required an assessment in accordance with environmental legislation must be completed prior to issuing a permit.

The permit holder is required to submit catch returns to the Department in accordance with the conditions of the permit. Permits can only be issued if all catch returns have been received by the Department.

Eel Trapping Farm Dams

Only licensed commercial fishers who have previously held an Eel Trapping – Farm Dams permit are eligible for a permit.

Eel Trapping Impoundments

Only licensed commercial fishers who have previously held an Eel Trapping – Impoundment permit for a specific impoundment are eligible for a permit for that impoundment.

Prior to a permit being issued the applicant must provide the Department with a copy of a letter of authorisation from the impoundment owner or administrator that details the permissions given to the applicant regarding access to the impoundment for the purpose of harvesting eels.