

**Advisory Council on
Recreational Fishing**

FINAL MINUTES

28th MEETING (04/2003)
9:30am, 11 December 2003

<p>CFC Conference Room 202 Nicholson Parade, Cronulla</p>

Attendance

Chair

Bruce Schumacher

Members

Elaine Garvey

Jim Harnwell

John Dunphy

Lionel Jones

Scott Mitchell

Margaret Dodson

Terry Maloney

Mel Brown

Observers

John Diplock, Principal Manager Recreational Fisheries

Bryan van der Walt, A/Senior Manager Recreational Fisheries

Nick James, Manager Recreational Fisheries

Susan Wildgoose, Management Officer Recreational Fisheries

Business

Welcome by Chair

Apologies

Ann Lee, Neil Ryan, Lisa Terry, Anthony Moore and Steve Dunn.

Absent

Graham Moore

Clause 364 of the *Fisheries Management (General) Regulation 2002* states that:

The quorum for a meeting of an advisory council consists of a majority of its members for the time being.

Eight of the thirteen current council members attended, ensuring there was a quorum at the meeting.

Minutes of previous meeting

Recommendation:

The minutes are a true and accurate record of discussions at the 27th meeting, held 25 September 2003.

Moved: Lionel Jones

Seconded: Elaine Garvey

Carried

Business arising from the minutes

Nil.

Agenda Items

1. Lake Mulwala and Lake Hume management arrangements (John Diplock) – for recommendation.
2. Trust Expenditure issues (Bryan van der Walt) – for recommendation.
3. Commercial fishing issues (Dianna Watkins) – for information/recommendation.
4. Research findings/current information regarding black bream and flathead studies (Dr Charles Gray) – for information.
5. Proposed partial/seasonal closure of Coila Creek to protect spawning aggregations of southern black bream (Bryan van der Walt) – for recommendation.
6. Capacity development for recreational fishing committee representatives (Dr Alistair McIlgorm, Dominion Consulting) – for information.
7. Closure renewals (Nick James) – for recommendation
8. Public safety concerns - spearfishing activities at Shelly Beach Lagoon, Port Macquarie (Nick James) – for recommendation.
9. Opportunities for carers assisting disabled people (who are exempt from the licence) to also be exempt from the need to hold a licence (Jennifer Ranson) – for recommendation.
10. Proposed regulation amendment regarding the method for measuring mesh on a push or scissors net (Nick James) – for recommendation.

Other Business

- Dr Bob Creese, Principal Conservation Scientist, will provide an update on *Caulerpa taxifolia* at the meeting.
- Mr John Pursey, Senior Conservation Manager – Threatened Species, will provide an update re: eastern cod at the meeting.
- Expression of Interest advertised for impending vacancies on ACoRF (January 2004).
- Black Ned's Bay (Lionel Jones)
- Status of Pro-Am consultative committees
- Guidelines for the Environmental Impact Assessment of Recreational and Charter Boat Fishing in New South Wales.
- Angel Rings Liability.

Correspondence received

- Submission from Mr William Bevan requesting a marine protected area adjacent to Sea Acres Nature Reserve, Port Macquarie.
- Request from a Mrs Debbie Pearce regarding the issue of an exemption for payment of the recreational fishing licence fee to her husband, Mr Pearce.
- Letter from Mr Geoff Stock, a Victorian resident, commending NSW Fisheries on first class fisheries management.

Around the table

Next meeting –Thursday 29 April 2004 (RFTSEC 6 April; RFFTEC 1 April).

Issue

Seeking the Council's resolution on the proposed Lake Mulwala and Lake Hume management arrangements.

Background (provided by NSW Fisheries)

After a joint NSW and Victorian Cabinets meeting in March 2001, an agreement was reached to move towards rationalising recreational fishing on Lakes Hume and Mulwala, to help end many years of dispute and debate. Under a proposal subsequently developed to implement this agreement, NSW would manage the recreational fisheries of Lake Mulwala, while Victoria would manage Lake Hume. Anglers will need only a single licence from the relevant State for recreational fishing in these lakes

The proposed arrangements were designed to simplify current seasonal opening and closing arrangements, size and bag limits, and gear entitlements. Boundary limits for the two lakes for compliance purposes would also be made clearer.

A Public Consultation Paper putting forward the proposed arrangements was released in October 2002 with public comment period closing at the end of November 2002.

The proposal was put to ACoRF in June 2001 prior to the preparation of the consultation paper with members resolving to make recommendations on this issue following input into the consultation process by Council members. Some council members or the groups they represent subsequently made submission on the consultation paper.

At the 27th ACoRF meeting of September 2003 in a round table discussion with the Minister, Member Terry Maloney raised concerns that anglers he represents would be disadvantaged in that they did not normally fish Victorian waters but do regularly fish Lake Hume for redfin and golden perch. They would therefore need to purchase a Victorian licence and retain their NSW licence. Mr Maloney also suggested that an alternative to the proposal would be for NSW to manage Lake Mulwala and the Murray River arm of Lake Hume upstream of the Bethanga Bridge at Bell Bridge.

Mr Maloney's concerns were expressed in a response to the consultation paper. The anglers Mr Maloney represents are the major group to be impacted by the proposals. Most other anglers who regularly fish in the general area either fish in both states and hold both licences or only fish regularly in one state or the other and will not be affected by the changes. It is difficult to estimate the number of anglers involved. However, it is probably a small proportion of the total number of anglers who fish Lake Hume.

The suggestion that NSW manages the Murray River arm of Lake Hume upstream of the Bethanga Bridge has been discussed with Victorian DPI Fisheries Managers. They would not be prepared to accept this alternative as they would lose management of the portions of both Lake Mulwala and Lake Hume south of the old Murray River course and gain only a very small portion of the NSW waters of Lake Hume between Bethanga Bridge and the Hume Weir.

Notwithstanding the legitimate concerns of the anglers represented by Mr Maloney, the proposals have benefits in streamlining the management of both lakes and in alleviating confusion for the angling public as to which licence was required for a particular part of either Lake.

Outcomes

There has been a history of debate over Lake Mulwala and Lake Hume management arrangements. Community submissions, both for and against the proposed arrangements, were received in response to the consultation paper. NSW Fisheries recognises that there will be a small number of anglers impacted by this proposal. However, the Department believes that the proposal is a worthwhile and valuable undertaking that will benefit the majority of people who fish in the area.

The freshwater fishing representative expressed dissatisfaction with the proposed arrangements for Lake Hume, on behalf of approximately 1,200 local anglers. He noted that the new management arrangements should cater for all anglers and suggested that the backed up waters of the Murray River should be managed by NSW. NSW Fisheries reiterated that Victoria DPI managers did not accept this proposal. The freshwater fishing representative acknowledged this and expressed his desire for a resolution to this issue.

Recommendation

ACORF supports the proposed management arrangements for Lakes Hume and Mulwala, recognising that should the proposal go ahead, a small number of NSW anglers will be required to purchase a Victorian Licence, which they would otherwise not require.

Moved: Scott Mitchell
Against: Terry Maloney

Seconded: Margaret Dodson

Carried

Issue

Recreational Fishing Trusts – Recommendations from Expenditure Committees

Background

NSW Fisheries undertook an Expression of Interest process for funding from the small grants program to fishing clubs, local Councils and other community members. Six applications were received for funding from the Freshwater Trust and four applications for funding from the Saltwater Trust. Funding proposals are limited to \$5,000 per project and should be matched by funds from the applicant or other sources.

All freshwater applications were reviewed by RFFTEC on 29 October 2003 and the following application was recommended for funding:

Freshwater Small grant:**1) Lake Keepit fish cleaning table / measuring station – Lake Keepit State Park**

The park receives approximately 55,000 visitors, mostly anglers, each year. There is only fish cleaning table at the lake and this is not sufficient for use by all the anglers. The lake is regularly stocked by NSW Fisheries.

All saltwater small grant applications were reviewed by RFSTEC on 25 November 2003. In addition, a number of larger funding applications were also considered. The following programs were supported for funding:

Saltwater Small grants:**2) Boat ramp Signage – Gosford City Council**

An inter-agency project aims to facilitate signage improvements at seven high profile boat ramps in the Gosford region. The project will result in warnings, bag and size limits and other safety messages being conveyed more effectively to the recreational fishing and boating community.

3) Marine protected areas a novel tool for fisheries management - University of Melbourne

The project aims to determine the origin of kingfish recruits and assess the implications of these findings to the implementation of the marine park area at Lord Howe Island and to the future management of kingfish in NSW. The University of Melbourne is undertaking the investigation and providing matching funding. Australian Research Council Discovery Grant and National Geographic are also providing funding.

4) Abating Bird Disturbance by providing alternate weed bait source for recreational fishers – Newcastle Coastcare

The Stockton High Tide Roost and Ash Island are part of the Kooragang Wetland Rehabilitation Project (KWRP). The aim of the KWRP is to restore fisheries and other wildlife habitat in the Hunter River Estuary and create research, education and recreation opportunities. These sites also provide a source of weed bait for recreational fishers, which may have an impact on the Kooragang wetland habitat and the wader birds themselves. The main aim of the weed tank project is to reduce possible disturbance to wader birds at Stockton and reduce habitat damage on Ash Island by providing an alternative, accessible and reliable source of weed bait at no cost to recreational fishers in the Hunter.

Larger Saltwater Grants:**5) Pilot Artificial Reefs Comparative Study - NSWF**

Artificial reefs placed in barren areas have the potential to create essential fish, invertebrate and marine plant habitats thereby enhancing angler catch. This program involves a pilot study to construct artificial reefs in 3 estuaries that have been declared Recreational Fishing Havens namely Lake Macquarie, Botany Bay and St. Georges Basin. Species composition, size range and catch rate of angling species on artificial reefs will be monitored to determine the effectiveness of the structures. The program will establish guidelines for the consideration of any future artificial reef proposals for NSW.

6) Enhancing stocks and recreational catch of Mulloway by identifying key location and sub adult habitats - UNSW

Little is known about the preferred habitat for sub adult mulloway (less than 45 cm legal size; <2 years old) in south-eastern Australia. The objectives of the project are to determine home range and habitat preference of sub-adult mulloway; compare the movements of wild and hatchery-reared mulloway within two different New South Wales estuaries (lagoon versus riverine estuary) and determine patterns of daily and seasonal migration by mulloway. The proposal includes tagging young mulloway with small, lightweight pingers. Determining and protecting key habitats of the juveniles mulloway fingerlings will maximise the benefit of mulloway restocking. The St George/Sutherland Shire Anglers Club will provide support.

All the funding is summarised in the following table:

Table 1:

Freshwater Small Grant	Proponent	2003/04	2004/05	2005/06
Lake Keepit fish cleaning table / measuring station	Lake Keepit State Park Trust	\$2,600		
Saltwater Small Grants				
Boat Ramp Signage Upgrade	Gosford City Council	\$5,000		
Marine protected areas a novel tool for fisheries management	University of Melbourne	\$5,100		
Weed Tank - Hunter	Newcastle Coastcare	\$3,555		
Larger Saltwater Grants				
Small grants allocation-additional funding	NSWF	\$50,000		
Pilot Artificial Reefs Comparative Study	NSWF	\$168,578	\$173,091	\$180,313
Identifying Mulloway sites	UNSW	\$23,553		

Outcomes*a) Trust news and expenditure recommendations*

The Chairman advised the Council that the Trust Expenditure Committees were very satisfied with the level of project and financial reporting provided by NSW Fisheries, which assisted with the review of trust applications.

NSW Fisheries informed the Council that the first of the additional 5 FADs for this summer was deployed at Laurieton on 3 December 2003. It is anticipated that a FAD at Port Macquarie and an additional FAD at Sydney will be deployed by early January 2004. The locations of the remaining 2 FADs are being finalised.

Early season reports of catches around the existing FADs have been promising. Catches of dolphinfish up to 20kg have been reported off the Coffs Harbour and South West Rocks

FADs. There have been no reports of conflict between commercial and recreational fishers around the deployed FADs.

Council was informed that 200,000 new saltwater and freshwater fishing guides have been produced for distribution. The three advisory trailers funded through the saltwater trust for use at events and schools have been delivered and are now being commissioned for summer use. Media releases highlighting the total funds allocated to freshwater and saltwater trusts in 2003/04 and funds for individual programs have gone out.

The Council thoroughly discussed and considered each funding proposal recommended by the trust expenditure committees.

NSW Fisheries advised the Council that nearly \$50,000 had been allocated to small grants in 2003/04 so far. At the last meeting, the Saltwater Committee had allocated additional funding of \$50,000 to the small grants program to enable consideration and support of applications received at that meeting and out of session, if necessary.

The Council noted that little is known about the breeding cycle of kingfish in NSW. Tag returns as part of the Gamefish Tagging Program has shown that adult kingfish migrate between New Zealand, Lord Howe Island and Australia indicating a single stock in these waters. This study would provide valuable biological information for the management of this species in NSW.

The Council discussed the program 'Abating Bird Disturbance by providing an alternate weed bait source for recreational fishers at Newcastle'. It was noted that weed bait is frequently collected by anglers under Stockton Bridge for targeting luderick. NSW Fisheries had visited the Stockton High Tide Roost near Stockton Bridge and the proposed site for the weed tank on Ash Island. This program would have direct benefits for anglers in the Newcastle region providing a free and reliable source of green weed bait and would reduce the disturbance to the vast number of wader birds observed at the site. The Council acknowledged the applicants initiative in presenting a solution, which will be acceptable by all parties. Bait has been identified as a high priority for funding from the trusts and applications for alternative bait systems, which can provide plentiful, live, quality bait for anglers, should be encouraged.

NSW Fisheries provided a brief outline of the application titled 'Pilot Artificial Reefs Comparative Study' and confirmed that the artificial reef design will be based on the reef balls concept. In line with the ACoRF Artificial Reefs Working Group recommendations the project will involve deployment of artificial reefs in three Recreational Fishing Havens. Scientific research will be undertaken as part of the program to determine the effectiveness of these studies.

The project titled 'Enhancing stocks and recreational catch of mullet by identifying key locations and sub adult habitats' will undertake acoustic tracking of juvenile mullet to investigate habitat, home range and migration of the species and optimise stocking density. The project would enhance stocks and the recreational catch of mullet by identifying key locations and sub adult habitats. Trial stocking of mullet in Botany Bay earlier this year has been very successful with 56 out of 58 recaptures identified as stocked mullet.

b) Role of the Expenditure Committees

The Council was provided with a draft document outlining the role of the expenditure committees, which included major funding priorities identified by the Council (access and facilities, administration, advisory and education, compliance, habitat restoration, management, research and stocking) and current funds allocated to the major categories expenditure. It also included draft funding targets that the expenditure committees should

aim for to achieve consistency across each of the major categories. The Chairman requested that the Council provide comments to NSW Fisheries out of session.

c) Licence Review Discussion Paper

The Council was presented with a draft discussion paper for community consultation regarding a review of the licence system to ensure ongoing improvements. The Council discussed each of the proposals to improve the current system and supported the implementation of the licence reminder system to encourage anglers to renew their licence. The Council suggested that NSW Fisheries investigate the option of anglers purchasing a licence by sending a cheque or money order to the Department after receiving their reminder notice. Council requested that information on where to purchase a recreational fishing licence should be included on the reminder notice.

Recommendation

ACoRF supports all of the funding proposals, listed in Table 1, as recommended by the Recreational Fishing Saltwater and Freshwater Trust Expenditure Committees.

Moved: Lionel Jones Seconded: Jim Harnwell **Carried**

ACoRF supports the draft licence review discussion paper for community consultation.

Moved: Scott Mitchell Seconded: Elaine Garvey **Carried**

Issue

Commercial Fishing issues.

Background (provided by NSW Fisheries)

There are a number of issues that have been raised by NSW Fisheries and the commercial fishing sector, including:

- a) Maximum size limit for eastern rock lobsters;
- b) Review of estuary general trapping and mud crab trapping endorsements;
- c) Eel management issues discussion paper;
- d) By-catch limit for Australian salmon; and
- e) Size limit for silver trevally.

Ms Dianna Watkins, Principal Manager, Commercial Fisheries, will discuss these issues with the Council and provide a general update on the commercial fishing sector.

a) Rock Lobsters

Issue

Maximum Size Limit for Eastern Rock Lobsters.

Background

In their Report and Determination for 2003 / 2004, the Total Allowable Catch and Setting Review Committee (TAC Committee) raised concerns about an apparent decline in the spawning stock of eastern rock lobsters and highlighted the need for urgent action directed at protecting this stock.

NSW Fisheries held meetings with commercial lobster fishers in Iluka, Coffs Harbour, Laurieton and Tuncurry in August 2003 to discuss the status of the spawning stock of eastern rock lobsters, and, at the Lobster Management Advisory Committee meeting on 29 September 2003, the Committee was requested to consider possible options to address the TAC Committee's concerns.

A number of options, raised at the industry port meetings and by the Committee, were discussed in detail at the LobMAC meeting including the following:

- an increase in minimum size limit,
- a decrease in the total allowable commercial catch (TACC),
- restrictions placed on the amount of quota being transferred,
- immediate decrease in maximum size limit,
- a decrease in maximum size limit to be implemented in January or July 2004, and
- a decrease in maximum size limit and an associated reduction in the TACC.

NSW Fisheries advised that a decrease in the maximum size limit for eastern rock lobsters would address the TAC Committee's concerns, offering immediate protection to the spawning stock. A complementary reduction in the TACC would enhance the benefit of a decrease in maximum size limit and provide further protection for the stock along the coast.

LobMAC supported a decrease in the maximum size of eastern rock lobsters to 180 millimetres (carapace length) on a temporary basis to take effect 1 January 2004, and to be reviewed on an annual basis, noting that further independent sampling and catch data will

become available. There was general agreement at the meeting that any such action should be implemented across both the recreational and commercial fishing sectors.

LobMAC also acknowledged that the TAC Committee may need to consider a complementary decrease in the TACC for the 2004 / 2005 season.

The Council's support for a change in the maximum size limit for eastern rock lobster is requested.

b) Estuary Trapping

Issue

Review of estuary general trapping and mud crab trapping endorsements.

Background

The Estuary General Management Advisory Committee reviewed the trapping and mud crab trapping endorsement structure in the fishery initially in 1999/2000. The Committee revised their recommendations in July 2003.

The review will result in the following outcomes:

1. Mud Crab trapping and fish trapping endorsements will remain separate.
2. Only commercial fishers with mud crab trapping and/or fish trapping endorsements may use hoop/lift nets for commercial fishing.
3. Mud Crab trapping endorsement holders are limited to using a maximum 10 crab traps, **or** 10 hoop/lift nets, **or** 10 of any combination.
4. Fish trapping endorsement holders will continue to be limited to using 10 fish traps and 10 hoop/lift nets.
5. Blue swimmer crabs will continue to be permitted to be taken under the fish trapping endorsement only.
6. Markings for crab and fish trap buoys will be by fishing licence number (FL).
7. Hoop nets used in commercial quantities to be marked with the fishing licence number (FL).
8. Consequential amendment of cl. 61(d) to clarify that fish trappers may use additional fish traps to take blue swimmer crabs in Port Stephens Broadwater and Wallis Lake.
9. Consequential amendment of cl. 61(c) and (d) to clarify that fishers may use a total of 10 fish traps in any estuary other than for Port Stephens Broadwater and Wallis Lake (see table below that outlines trap numbers that can be used).
10. Hoop nets to be left in the water during daylight hours only.

	Column A	Column B	Column C
Endorsements held	General waters	Port Stephens Broadwater and Wallis Lake	Maximum traps used in all waters combined
Fish Trapping	10 fish traps 10 hoop nets	20 fish traps + 10 hoop nets	20 fish traps + 10 hoop nets
Mud Crab Trapping	10 crab traps/hoop nets (combined total)	10 crab traps/hoop nets (combined total)	10 crab traps/hoop nets (combined total)
Fish Trapping and Mud Crab Trapping	10 fish traps + 10 hoop nets, and 10 crab traps/hoop nets (combined total) ie. maximum of 20	20 fish traps + 10 hoop nets, and 10 crab traps/hoop nets (combined total) ie. maximum of 20	20 fish traps + 10 hoop nets, and 10 crab traps/hoop nets (combined total) ie. maximum of 20 hoop

	hoop nets at any one time	hoop nets at any one time	nets at any one time except for waters specified in column B where a maximum of 10 hoop nets are permitted
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For information.

c) Eel Management

Issue

Eel management issues discussion paper.

Background (provided by NSW Fisheries)

A number of issues regarding the eel fisheries of NSW have been raised with the Estuary General Management Advisory Committee (the EGMAC). As a result, a discussion paper has been published which outlines proposals for the management of river eel fisheries. These proposals are based on the findings of the FRDC funded research project "Description of the Biology and an Assessment of the Fishery for Adult Longfinned Eels in NSW" and from past discussions with the eel working group.

Please note that a copy of the discussion paper was sent to all relevant stakeholder groups. The objective of the paper is to promote discussion and outcomes that will lead to a sustainable and viable eel fishery.

The issues outlined in the paper relate to:

- Modification of eel trap design and construction,
- Access to the farm dam permit fishery, and
- An increase in the minimum legal size of longfinned eels.

Any comments and feedback are to be provided to NSW Fisheries by 19 December 2003.

If you have any inquiries relating to the discussion paper, please contact Ms Anoushka de Silva, Fisheries Management Officer (Estuary) on (02) 9527 8595 or Claudia Jordan, Fisheries Manager (Estuary) on (02) 9527 8574.

For the Council's consideration and comment.

d) Australian Salmon

Issue

By-catch limit for Australian salmon.

Background (provided by NSW Fisheries)

The ocean hauling management advisory committee has raised concerns relating to current legislation on taking Australian salmon and tailor by net fishing methods.

From 31 August 2001 fishers have been prevented from using nets to take salmon in waters north of Barrenjoey Headland. These measures were intended to re-allocate the resource to

recreational fishers in line with a commitment made at the 1999 election and although the status of salmon stocks is unknown, there is no evidence of overfishing at present.

At its meeting of 1 August 2003 OHMAC industry members reported an apparent increase in observed salmon stocks and supported a review of current arrangements, particularly having regard to the broader ecosystem impacts of this closure. Industry also maintains that current bycatch arrangements for salmon are inadequate and anecdotal reports indicate that several instances have occurred where catches greater than the prescribed 100kg limit resulted in fishers having to dump surplus dead fish. Information received indicates that significant quantities of salmon are sometimes included in large catches of sea mullet and incidental capture results in a significant mortality rate.

The Ocean Hauling Fishery Management Strategy sets out the bycatch arrangements for non-target species in the ocean hauling fishery. Under these arrangements up to 20% of the total catch on a shot by shot basis may be made up of non-target species. If salmon (north of Barrenjoey) were included in such arrangements targeted fishing would still be prevented however incidental catches could be retained and wastage minimised.

Although it is not believed that a review of the entire closure is appropriate at this time, the Minister is seeking the Council's views on the implications of bringing the Australian salmon bycatch allowance for ocean hauling fishers into line with the arrangements for other non-target species in the fishery.

e) *Silver trevally*

Issue

Size limit for silver trevally.

Background

Silver trevally forms a significant component of both the recreational and commercial fisheries. Silver trevally has been reported to be an important recreational species in recreational catches from both estuarine and ocean waters. Significant quantities of silver trevally are also landed by estuary haul, ocean fish trawl and ocean trap and line commercial fishers. The species is important in the Commonwealth managed South East Trawl Fishery, where trevally is one of sixteen species managed by an annual total allowable catch.

In New South Wales, there is no minimum legal size for silver trevally, however a bag limit of 20 (comprised wholly of any single species or a combination of species) applies to the trevallies, including silver trevally.

In a study, "Description of the biology and an assessment of the fishery for silver trevally *Pseudocaranx dentex* off New South Wales" (Rowling and Raines, 2000 – see attached copy of the "non-technical summary" from the Final Report to the Fisheries Research and Development Corporation), it was found that the average size of silver trevally, taken across a range of fisheries, has declined significantly since the late 1980s.

The majority of trevally landed by commercial fishers during the 1980s were between 30 and 50 cm LCF (length from snout to tail fork). In recent years the majority of trevally in commercial catches have been less than 30 cm LCF, and for some fisheries the majority of fish landed have been between 20 and 25 cm LCF. The limited data available from recreational landings also suggests a decline in the average size of trevally caught by anglers since the 1980s.

Rowling and Raines (2000) reported that the silver trevally stock can be considered 'growth overfished' and that it would be desirable to increase the size at first capture. Growth overfishing occurs when individual fish are harvested under the size that takes best advantage of the species growth in relation to expected natural mortality. The best way to address the growth overfishing issue in the fishery for silver trevally would be to set an appropriate minimum legal size, and review the selectivity of the fishing gears which catch silver trevally, to prevent the capture and discarding of large numbers of under sized trevally.

A recovery program for silver trevally is required to be developed under the Ocean Trawl Fishery Management Strategy and research into alternative fishing gear design is currently being conducted.

In a report "Defining an appropriate minimum size at first capture for silver trevally, *Pseudocaranx dentex*" (Rowling 2001), a minimum legal length of 30 cm total length (equates to 25 cm LCF) was recommended, noting that setting such a minimum legal length will have a significant impact on trevally catches by estuary haul and ocean fish trawl fishers, and that the relative impact on the fish trap and recreational fisheries would be much less, with 10 per cent of fish caught by these sectors being smaller than the suggested minimum legal length. A copy of the report is attached for Council's information.

A brief scientific presentation will be provided to the Council based on the research project by Rowling K.R. and Raines L.P. (2000) Description of the biology and an assessment of the fishery for silver trevally *Pseudocaranx dentex* off New South Wales. (Final Report, Fisheries Research and Development Corporation Project 97/125).

ACoRF's support for the implementation of a minimum size limit of 30cm total length for silver trevally is requested.

Outcomes

a) Rock Lobsters

NSW Fisheries informed the Council of the TAC Committee's concerns over the apparent decline in spawning stock of eastern rock lobsters. The proposed decrease in the maximum size limit for eastern rock lobsters to 180mm would be a temporary measure to protect the breeding stock while further research can be done. The Council's underwater representative noted that the maximum size limit was introduced to prevent commercial fisherman from depleting spawning stocks. He believed that this proposal would not impact on recreational fishers and is consistent with the intent of the original maximum size limit.

b) Estuary Trapping

NSW Fisheries presented the Estuary General Management Advisory Committee's recommendations resulting from the estuary general trapping and mud crab trapping endorsements review for information.

c) Eel Management

The Estuary General Fishery Eel Management Issues - consultation paper was distributed to the Council for comment. Council considered the consultation paper and supported the outlined proposals.

d) Australian Salmon

The Council was informed that both commercial and recreational fishers have reported a perceived increase in the abundance of salmon. Council was concerned that the proposal to include salmon in the bycatch arrangements in the ocean haul fishery will increase the targeting of mixed schools. It was noted that salmon are a primary prey species of kingfish in New Zealand and that recovery of NSW salmon populations may lead to an increase in the

abundance of these natural predators in NSW waters. The Council believes the recent recovery of this prime sport fish has been largely driven by the current level of restrictions. Council were not supportive of any change to the current restrictions on the commercial harvest of Australian salmon.

e) *Silver trevally*

NSW Fisheries presented recent research findings on silver trevally to the Council. These findings indicate that silver trevally are growth overfished, that is, they are harvested under the size which takes best advantage of the species growth in relation to expected natural mortality. As a result of these findings NSW Fisheries proposes to increase the size at first capture. The study recommends a minimum length of 30 cm, which equates to a four year old fish, to address growth overfishing in the fishery. The proposed size increase will not have a large impact on the current recreational catch.

It was noted that the introduction of escape panels for snapper in the Ocean Trap and Line fisheries will also increase the mean size of silver trevally caught by this fishery. The Council suggested that a further reduction in small trevally landings could be achieved through inshore trawling closures along NSW beaches. Council was informed that outcomes of the Ocean Trawl Fishery Management Strategy triggered this proposal.

Other Issues

Baitfish - NSW Fisheries advised the Council that the baitfish fishery will become a restricted fishery. The Baitfish Working Group will meet in mid-December 2003.

Abalone - NSW Fisheries is planning to undertake research in the area from Port Stephens to Wreck Bay closed to the harvest of abalone due to *Perkinsis*. The purpose of this research will be to determine if abalone stocks have improved sufficiently to allow the opening of this area to commercial and recreational harvest.

Blue swimmer crabs – Council were concerned about the current size limit of blue swimmer crabs at 6cm and suggested that this should be increased to ensure sustainability of the resource. NSW Fisheries advised that this will be addressed during the preparation of the Fisheries Management Strategy for recreational fishing.

Richmond River – NSW Fisheries advised that commercial fishers have made representations to the Department to resume mullet hauling at Missingham Bridge, Ballina. In return the current upstream boundary could be extended as part of the Recreational Fishing Haven. The NSW Government is endeavouring to seek stability in the commercial fishing industry after a period of significant change and adjustment. Changes to the current closures would only be considered if there was strong community consensus involving all sectors.

Action Item: NSW Fisheries to provide an update to the Council at the next meeting on the proposal to vary the Richmond River Recreational Fishing Haven.

Recommendations

a) *Rock Lobsters*

ACoRF supports a decrease in the maximum size limit for eastern rock lobster as proposed.

Moved: Scott Mitchell

Seconded: Lionel Jones

Carried

b) *Estuary Trapping*

For information

c) Eel Management

ACoRF supports the proposals outlined in the Estuary General Fishery Eel Management Issues - consultation paper.

Moved: Terry Maloney

Seconded: Lionel Jones

Carried

d) Australian Salmon

ACoRF does not support the proposal to include Australian salmon in the bycatch allowance for ocean hauling fishers.

Moved: Scott Mitchell

Seconded: Jim Harnwell

Carried

e) Silver trevally

ACoRF supports the implementation of a minimum size limit of 30cm total length for silver trevally.

Moved: Lionel Jones

Seconded: Elaine Garvey

Carried

Issue

Research findings/current information regarding black bream and flathead studies.

Background (provided by NSW Fisheries – from NSWF website)

At the last meeting the Council requested an update on the research programs relating to black bream and flathead. Information on these studies is provided below.

Project Title: Life history and biology of black bream (Acanthopagrus butcheri) in NSW

Principal Investigator: Dr Charles Gray

Funding Sources: NSW Fisheries and the Recreational Saltwater Trust (FSC2003/117)

Objectives:

1. To assess the reproductive biology of the species by determining the time of reproduction, the size and age at first maturity and relationships between spawning and environmental conditions.
2. To determine length at age relationships and growth.
3. To assess variations in the size, age, sex and reproductive structure of populations in different estuaries and habitats and the influences of environmental conditions on populations.
4. Via a tagging study, assess the extent of movements of the species within and between different estuaries.
5. To assess effects of environmental conditions on stock-recruitment relationships.
6. To advise managers and the recreational fishing community on the status and structure of black bream in NSW and recommend management strategies including implications for re-stocking.

Black bream is a key recreational fish species in southern NSW estuaries, yet very little is known of its biology and ecology. Recreational fishers have reported that black bream stocks in NSW estuaries have declined significantly over the past decade and, although there are no quantitative data to assess these claims in NSW, assessments have shown population declines of black bream populations in Victoria and Western Australia.

The biological and fisheries-related studies of black bream done in Victoria and Western Australia have shown that recruitment, growth, reproduction and consequently age compositions of populations can vary greatly among different estuarine systems as well as between years. These studies have been used to assess and advise managers of the stock status of black bream in these states. There is unfortunately a lack of comparative data for black bream in NSW. In particular, given the concern over stock levels in NSW, there is a real need to assess the relative abundance of juveniles and adults and the sex, size, age and reproductive composition of populations and to assess and describe the fishery for the species in NSW.

This study will collect this necessary biological and fisheries-related information on black bream in NSW. Information on the age, growth and reproductive dynamics (time of year, size and age at maturity, environmental influences) and movements of the species is essential to test alternative management strategies for the species such as appropriate size limits and seasonal closures to protect spawning stock. Data on growth rates, size and age at maturity, longevity and movements within and between estuaries are also essential in developing an assessment of the species.

The aim of this study is to obtain this basic, but quite complex, biological and fisheries-related information on black bream in NSW and to provide advice on the future management of the species.

Scientific staff will sample populations of black bream from at least 3 estuaries on a monthly/bi-monthly basis for 2.5 years to determine the size, age and reproductive composition of populations. Information on rates of recruitment, mortality and age and growth will also be collected. Populations will be sampled using a variety of methods, including hook and line, gill and specialised seine nets and recreational fishers catches will be sampled. Many fish will also be tagged for studying the movement patterns of bream.

Project Title: Stock assessment and reproductive biology of dusky flathead in NSW

Principal Investigator: Dr Charles Gray

Funding Source: NSW Fisheries (FSC2000/056)

Objectives:

1. Assess the size composition of estuarine commercial catches of dusky flathead in NSW.
2. Derive the age composition of commercially harvested dusky flathead in NSW.
3. Determine the reproductive cycle and the size and age at first maturity of dusky flathead in NSW.
4. Assess catch and effort trends from available data.

Dusky flathead is an important finfish species harvested by commercial and recreational fishers in NSW estuaries. In 1999/00, a reported 194 tonnes of dusky flathead were landed commercially, valued at approximately \$700 thousand to fishers. Over the past 5 years the reported annual commercial catch of dusky flathead has increased and there is concern over the status of the resource. The bulk of the commercial catch is taken in mesh nets in estuaries where flathead nets are permitted to be set. Little data exists on the recreational fishery for dusky flathead in NSW.

Because of concerns over the long-term sustainability of the resource, the minimum legal length of dusky flathead was increased from 33 to 36cm in July 2001. A continued assessment of the dusky flathead stock is required to assess the impacts of this change in regulation. Stock assessments rely on a variety of data, including catch and effort and size and age compositions of catches. Whilst we have a historical record of commercial catch levels, there is much less information on size and age compositions of catches. Sampling of size and age compositions and landings was done in 1995 and 1997 and began again in 2001 and will continue through 2002. Four major ports are being targeted for sampling: Clarence River, Wallis Lake, Tuggerah Lake and Lake Illawarra.

The reproductive condition of dusky flathead will also be assessed in each of the 4 estuaries on a monthly basis throughout 2001 and 2002. Information on the status of gonad development and the size and age of fish will be collected. This data will be used to determine the size and age that dusky flathead become sexually mature and it will also tell us when spawning occurs throughout the state.

Dr Charles Gray, Principal Scientist, Scientific Services will present further information on these research programs.

Outcomes

NSW Fisheries presented the Council with an update on the trust funded studies into the key recreational species black bream and luderick.

Life history and biology of Black Bream (*Acanthopagrus butcheri*) in NSW

NSW Fisheries advised that Black Bream was being sampled in 3 systems, including Lake Coila (open to the sea), Tuross River (river system) and Lake Brou (temporarily open to the sea). This would give an excellent comparison of the population structure in 3 different ecosystems. To date 187 black bream have been dissected for gonad, scale and otolith

samples from Lake Brou and Lake Coila. Despite sampling large numbers of yellowfin and hybridised bream (offspring from pairings of yellowfin and black bream) in Tuross River, no black bream have been obtained.

All fish caught have been sexually mature ranging in size from 15 to 33 cm. Spawning fish have only been caught at night at a specific salinity and water temperature. Attempts to obtain small black bream (0-2 years old) have not been successful. The Council was also advised that the lack of small fish could be due to recruitment failure last year.

Biology and population structure of luderick (*Girella tricuspidata*) in NSW

NSW Fisheries advised that the aims of the program were to assess the reproductive biology (size/age at maturity, fecundity, spawning locations/time), age and growth characteristics of luderick in NSW. The program will also assess the results of previous tagging studies on luderick and develop a 'recreational fisher-based' tagging program for the species in NSW.

To date 166 luderick have been dissected for gonad, scale, and otolith samples from three estuaries (Shoalhaven River, Tuggerah Lake and the Clarence River). Preliminary results indicate marked differences in the reproductive activity of the species along the NSW Coast. Pre-spawning fish have only been obtained from the Clarence River. It appears that the spawning season may be over due to the absence of pre-spawning fish and large numbers of juveniles.

NSW Fisheries is also undertaking an aquarium based tag retention experiment on luderick. In addition to the 166 processed fish approximately 140 large (>150mm) fish have been captured and acclimatized to captivity for use in this experiment. Dorsal versus ventral tag sites will be compared using standard T bar tags and small dart tags. It is anticipated that results from this study will be available in the next few months.

Stock assessment and reproductive biology of dusky flathead in NSW

The flathead research program update was requested by the Council's Nature Conservation Council representative. The estuarine fisheries scientist was unable to attend this meeting and the flathead research program update will be presented at the next meeting.

Recommendation

For information.

Issue

Proposed partial/seasonal closure of Coila Creek to protect spawning aggregations of southern black bream.

Background (provided by NSW Fisheries)

At the Recreational Fishing Saltwater Trust Expenditure Committee meeting on 25 November, Warren Buchan – south coast representative, enquired about the status of a proposed fishing closure in Coila Creek, to prevent targeting of spawning black bream. NSW Fisheries advised that this issue would be investigated and referred to ACoRF for consideration.

Many recreational and commercial fishers fish for southern black bream, *Acanthopagrus butcheri*, in Coila Creek during the cooler months of the year. During the Recreational Fishing Haven (RFH) consultation process, the Tuross/Coila Estuary Management Committee (TCEMC) nominated a section of Coila Creek (west of the Princes Highway road bridge to its source) for inclusion as a RFH. This nomination was unsuccessful.

Members of the TCEMC are concerned about the impact on breeding populations of this species and resulting sustainability issues in the creek. As a result, the TCEMC has requested the introduction of a total fishing closure (recreational and commercial) to the taking of southern black bream during the months of August, September and October (inclusive) each year.

The Council's consideration of the proposed introduction of a closure to the taking of southern black bream by all fishing methods (recreational and commercial), during the months of July, August and September (inclusive) each year, is requested.

If supported by ACoRF, the proposal will be forwarded to the Estuary General Management Advisory Committee/Advisory Council on Commercial Fishing for further consideration.

Outcomes

The Council expressed concern over the impacts of recreational and commercial fishing on spawning aggregations of black bream, particularly as NSW Fisheries reported in the previous agenda item that all black bream sampled in the current research program (September to November) so far are in spawning condition. Various options for protecting spawning aggregations of fish were discussed.

The Council noted the potential for hybridisation between yellowfin and black bream resulting in identification difficulties. It was suggested therefore that a closure should apply to black and yellowfin bream.

Recommendation

ACoRF supports a total closure to the taking of black bream (and yellowfin bream, if necessary to resolve identification difficulties) by recreational and commercial fishers for a period of 3 months during the peak spawning period (August to October) in Coila Creek.

Moved: Lionel Jones

Seconded: Scott Mitchell

Carried

Issue

Capacity development for recreational fishing committee representatives.

Background (provided by Dr Alistair McIlgorm, Dominion Consulting)

The Recreational Trust Fund has funded a project on '*Capacity Development for Recreational Fishing Committee Representatives*'.

As a first stage, on Monday 24 November 2003, Dominion Consulting met with Recreational Fishing Saltwater Trust Expenditure Committee representatives, to outline the project and to conduct a questionnaire seeking the opinions of committee members on proposed training for recreational fishing committee representatives.

Dominion would also like to obtain the views of ACoRF, the MERCMAC and other MAC members about the training. We forwarded a questionnaire for you to complete and submit at the meeting, where there will be a short presentation to brief Council members.

Outcomes

The need for recreational representation on natural resource consultative forums has increased in recent years. Committees exist for providing advice on expenditure of licence funds; recreational fishing issues to the Minister for Fisheries; management planning processes; and the charter boat industry. There are also representatives on each of the Management Advisory Committee's (MACs) for assisting in the development of NSW Fisheries Management Strategies.

Failure to invest in capacity building has the potential to result in work overload, fatigue and under performance of representatives. To ensure capacity development for NSW recreational fishing representatives this project aims to appraise representative needs, develop strategies to address the needs identified and provide training in late 2003/early 2004.

The Fisheries Research and Development Corporation (FRDC) undertook a MAC training process in 1994-2001. Approximately 75 of the 300 participants nationally were from the recreational sector. Industry leadership training was prioritised by FRDC in 2000-2003 and in 2002-2003 a number of training components were developed for MACs, as part of the revision of the Seafood Industry Training Package (SITP). Although these units have been developed for the seafood industry they can be adapted to train recreational fishing representatives. The project will investigate this concept.

The questionnaire completed by members will be used to identify the current skills and future needs of recreational fishing representatives on NSW Fisheries' consultative committees. Dominion will develop preliminary outcomes from the questionnaires and provide feedback at the meeting, which will assist the development of strategies and appropriate training interventions.

Issues to be considered:

- What is the current position of recreational representatives on MACs/ACs?
- Capacity development - what is needed?
- Other considerations – eg succession planning.

A number of new training areas have been identified through questionnaires completed by RFSTEC and MERCMAC including:

- An induction course for new members
- Development of assessment principles;
- Information processing skills training.

Recommendation

For information.

Issue

Closure renewals.

Background (NSW Fisheries)

A number of closures relating to recreational fishing are due for renewal in the near future. Information regarding the following closures is attached, for information:

- a) Bega River
- b) Clyde River
- c) Congo Creek
- d) Durras Lake
- e) Moruya River and Y Swamp
- f) Tomaga River and Candalgan Creek
- g) Hawkesbury River, Brisbane Water and Pittwater

a) Bega River**Issue**

Renewal of the Bega River fishing closure.

Background (provided by NSW Fisheries)

In 1998 a number of closures in the Bega River area that had existed since the early 1980's were reviewed, updated and consolidated into one closure notification for the entire area. Extensive consultation with stakeholder groups was carried out at the time and involved input of Fisheries Officers. The current closure expires on 4 February 2004. A copy of the closure is attached.

On 1 May 2002 the Bega River and its tributaries, creeks, bays and inlets were closed to commercial fishing due to the implementation of the recreational fishing haven.

Schedules 1, 3 and 4 of the closure apply to commercial fishing and also prohibit recreational fishers from using the hoop or lift net and the hand-hauled prawn net for the taking of fish (schedules 1 and 3).

Schedule 2 prohibits the use of nets of every description except the landing net from the upper reaches of the Bega River, its creeks, tributaries, inlets and lagoons to protect fish stocks particularly during spawning time.

The Batemans Bay fisheries office supports the renewal of the closure and state they have not received any complaints relating to the closure. The office recommends permitting the use of the hoop and lift net and the hand-hauled prawn net for the taking of fish on weekends from the Bega river (currently prohibited under schedule 1) and also permitting the use of the hand-hauled prawn net for the taking of fish from the Bega River entrance waters (currently prohibited under schedule 3) as the area is now a recreational fishing haven and conflict between recreational and commercial fishers no longer exists in this area.

Recommendation

NSW Fisheries recommends the renewal of the current schedule 2 of the closure for a period of five years unless sooner varied or revoked by the Director-General.

b) Clyde River

Issue

Renewal of the Clyde River fishing closure due to expire on 4 February 2004.

Background (provided by NSW Fisheries)

The closure was first implemented in 1972 to protect bass stocks in the upper reaches of the River.

The current closure (attached) prohibits the use of meshing nets except when used by the method of splashing from the whole of the waters of the Clyde River, its creeks and tributaries from the Nelligan road bridge upstream to the causeway at Shallow crossing for the period 15 May to 31 August each year. The closure also prohibit all methods of fishing other than two rods and line or handlines per person and the landing net from the whole of the waters of the Clyde River, its creeks and tributaries, from the causeway at Shallow Crossing, upstream to its source.

The Batemans Bay fisheries office supports the renewal of the closure and state they have not received any complaints relating to the closure and that it has been successful in protecting bass stocks.

Recommendation

NSW Fisheries recommends the renewal of the closure for a period of five years unless sooner varied or revoked by the Director-General.

c) Congo Creek

Issue

Renewal of the Congo Creek fishing closure due to expire on 4 February 2004.

Background (provided by NSW Fisheries)

The closure was first implemented in 1967 to reduce conflict between recreational and commercial fishers during the summer (holiday) months. The current closure (attached) prohibits the use of all nets except the hand hauled prawn net, the push or scissor net, the dip or scoop net and the landing net from the whole of the waters of Congo Creek, from its source downstream to the South Pacific Ocean for the period 1 November to 30 April each year.

The Batemans Bay fisheries office supports the renewal of the closure and state they have not received any complaints relating to the closure and that they believe it has been successful reducing conflict between users during the summer months.

Recommendation

NSW Fisheries recommends the renewal of the closure for a period of five years unless sooner varied or revoked by the Director-General.

d) Durras Lake

Issue

Renewal of the Durras Lake fishing closure due to expire on 4 February 2004.

Background (provided by NSW Fisheries)

The closure was first implemented in 1971 to minimise conflict between recreational and commercial fishers in the Lake.

The current closure (attached) prohibits the use of all nets except certain recreational nets from the lower waters of Durras Lake, its creeks, inlets and bays. The closure also prohibits the use of all nets except recreational nets, the garfish net (bullringing), the prawn net (hauling), the prawn running net, the meshing net and the hoop or lift net (max. 5 per person) from the whole of the waters of the upper waters of Durras Lake, its creeks, inlets and bays.

The garfish net (bullringing) is only permitted during the period 1 February to 30 November each year.

The Batemans Bay fisheries office supports the renewal of the closure and state they have not received any complaints relating to the closure and that they believe it has been successful in providing for a fair share of the resource for both commercial and recreational fishers.

Recommendation

NSW Fisheries recommends the renewal of the closure for a period of five years unless sooner varied or revoked by the Director-General.

e) Moruya River and Tributaries and Willija (Y) Swamp

Issue

Renewal of the Moruya River and tributaries and Willija (Y) Swamp.

Background (provided by NSW Fisheries)

In 1999 several closures in the Moruya River area that had existed since the early 1980's were reviewed, updated and consolidated into one closure notification for the entire area. Extensive consultation with stakeholder groups was carried out at the time and involved input from many Fisheries Officers. The closure expires on 4 February 2004. A copy of the closure is attached.

Currently the closure provides the following:

Schedule 1 – currently prohibits the use of commercial nets during weekends and public holidays in all waters of the Moruya River and tributaries and was implemented to reduce conflict between commercial fishers and recreational users and boating activities on weekends.

Schedule 2 – currently prohibits the use of all nets except recreational nets when used for the capture of prawns only from the entrance waters of the Moruya River and its bays and tributaries prevent the capture of fish migrating to and from the sea.

Schedule 3 – currently prohibits the use of all nets except the recreational dip or scoop net and the landing net from the whole of the waters of Malabar Creek due to the potential for boating navigational hazards.

Schedule 4 – currently prohibits the use of all nets except the recreational landing net to protect spawning bass stocks in the upper reaches of Moruya River and tributaries.

Schedule 5 – currently prohibits the use of meshing nets except when used by the method of splashing between 15 May and 31 August in each year from specified areas of the upper reaches of the Moruya River and tributaries. This prohibition protects bass in the upper reaches of the River.

Schedule 6 – currently prohibits the use of all nets and traps from the entire waters of Willija or 'Y' Swamp. The closure was first implemented in 1995 due to an infestation of the noxious waterplant *Salvinia molesta*. The weed represents a major ecological threat to many South Coast freshwater habitats including swamps, lakes, lagoons and rivers. Large dense infestations of the weed reduce oxygen availability and greatly impede fishing and recreational activities as well as competing with the natural habitat. The Eurobodalla Council set up a management committee to address the problem. This closure remains relevant as the Pests Officer at Eurobodalla Shire Council's has confirmed that the *Salvinia molesta* is still present in 'Y' Swamp.

The Batemans Bay Fisheries Office supports the renewal of the closure, stating that they have not received any complaints relating to the closure and that they believe it has been successful in achieving the identified aim of each schedule under the closure.

Recommendation

NSW Fisheries recommends the renewal of the closure for a period of five years unless sooner varied or revoked by the Director-General.

f) Tomaga River and Candalagan Creek

Issue

Renewal of the Tomaga River and Candalagan Creek fishing closure due to expire on 4 February 2004.

Background (provided by NSW Fisheries)

The closure was first implemented in 1962 at the request of the local community to allow tourists to fish in the River and Creek without large scale netting activity. The waters in this area were also considered shallow and only supported limited stock.

The current closure (attached) prohibits the use of hauling nets from the waters of that part Tomaga River, its creeks and tributaries from the Tomaga River road bridge upstream to its source. The closure also prohibits nets of every description except the dip or scoop net and the landing net from the waters of that part of Tomaga River, its creeks and tributaries from its confluence with the South Pacific Ocean upstream to the Tomaga River road bridge and the whole of the waters of Candalagan Creek.

On 1 May 2002 the Tomaga River was closed to commercial fishing due to the implementation of the Recreational Fishing Haven. As such the first part of the schedule is no longer relevant as it only prohibits commercial fishing activity (hauling nets).

The Batemans Bay fisheries office supports the renewal of the closure and state they have not received any complaints relating to the closure.

Recommendation

NSW Fisheries recommends the renewal of the closure for a period of five years unless sooner varied or revoked by the Director-General. The first section of the schedule relating to hauling nets will be removed as it is now obsolete due to the introduction of the recreational fishing haven.

g) Hawkesbury River, Brisbane Water and Pittwater**Issue**

Renewal of the Hawkesbury River, Brisbane Water, Pittwater and their tributaries fishing closure.

Background (provided by NSW Fisheries)

In 1999 several closures in the Hawkesbury River, Brisbane Water and Pittwater that had existed since the late 1970's and early 1980's were reviewed, updated and consolidated into one closure notification for the entire area. Extensive consultation with stakeholder groups was carried out at the time and involved input from many Fisheries Officers. The closure expires on 18 March 2004. A copy of the closure is attached.

Currently the closure provides the following:

Schedule 1 and 2 – currently prohibits the use of nets of every description except the landing net in a section of the upper Hawkesbury River, Cowan Creek and Jerusalem Bay due to heavy boating traffic.

Schedule 3 – currently prohibits the use of the prawn net (hauling) in a section of the upper Hawkesbury River to protect juvenile prawn stocks.

Schedule 4 – currently prohibits the use of nets of every description except the landing net from Mooney Mooney Creek and its tributaries on weekends and Monday public holidays to allow for recreational activities on weekends.

Schedule 5 – currently prohibits the use of meshing nets except when used by the methods of splashing in the upper waters of the upper Hawkesbury River and tributaries, Mangrove Creek, Mooney Mooney Creek and Berowra Waters from 15 May to 31 August each year to protect spawning bass stocks.

Schedule 6 – currently prohibits the use of all nets except the dip or scoop net, the push or scissor net, the hand hauled prawn net when used for the capture of prawns only and the landing net from a section of Berowra Creek and its tributaries on weekends and Monday public holidays to allow for recreational activities on weekends.

Schedule 7a,b&c – currently prohibits the use of meshing nets and hauling nets of every description from the waters of Patonga Creek and its tributaries as well as all other nets, except the landing net on weekends as the Creek is within the boundaries of the Brisbane Waters National Park and has a high conservation value.

Schedule 8 – currently prohibits the taking of shellfish by all methods from the Saratoga area, Brisbane Water as the area is considered a nursery ground for shellfish such as cockles and whelks.

Schedule 9 – currently prohibits the taking of worms and nippers by means of digging from the Ettalong and Cockle Creek areas of Brisbane Water.

Schedule 10 – currently prohibits the use of all nets except the dip or scoop net, the push or scissor net and the hand hauled prawn net when used for the capture of prawns only, the hoop or lift net and the landing net from Pittwater and its tributaries on weekends and public holidays to allow for recreational activities on weekends.

Schedule 11 – currently prohibits the use of hauling nets when aided by power winches from specified areas of Pittwater to reduce noise for local residents.

Schedule 12 – currently prohibits the use of meshing nets from specified waters of Pittwater and its tributaries from 1 January to 30 June each year to allow for the increased recreational activity over the summer months.

Schedule 13 – currently prohibits the use of all nets except the dip or scoop net, the push or scissor net, the hand hauled prawn net when used for the capture of prawns only and the landing net from the waters of Coasters Retreat and The Basin, Pittwater to allow for the large amount of recreational activity in these areas.

The Hawkesbury Fisheries Office supports the renewal of the closure and that they believe it has been successful in achieving the identified aim of each schedule under the closure.

Recommendation

NSW Fisheries recommends the renewal of the closure for a period of five years unless sooner varied or revoked by the Director-General.

Outcomes

a) *Bega River* – Supported.

b) *Clyde River* – Supported.

c) *Congo Creek* – Supported.

d) *Durras Lake* – Supported.

e) *Moruya River and Tributaries and Willija (Y) Swamp* – Supported.

f) *Tomaga River and Candalagan Creek* – Supported.

The Council noted that a few elements of the original closure were no longer necessary since the implementation of a Recreational Fishing Haven in the area.

g) *Hawkesbury River, Brisbane Water and Pittwater* – Supported.

NSW Fisheries informed the Council that there had been extensive consultation on this issue.

Recommendation

ACoRF supported the renewal of these closures in their current form for a period of five years unless sooner varied or revoked by the Director-General.

Moved: Elaine Garvey

Seconded: Scott Mitchell

Carried

Issue

Public safety concerns – spearfishing activities at Shelly Beach Lagoon, Port Macquarie.

Background (provided by NSW Fisheries)

Local Fisheries Officers and residents have requested a ban on spearfishing activities in the sheltered lagoon area at the southern end of Shelly Beach, due to ongoing concerns about the safety of beach users. This sheltered lagoon is a very popular swimming area for local bathers, particularly children, due to the added protection offered by the sheltered reef.

NSW Fisheries officers conduct regular patrols of the area to detect fisheries offences associated with bag, size and species restrictions, however, this does not address the safety issue to other users posed by spearguns in the confines of the lagoon. As a result, local fisheries officers and residents have requested that the Shelly Beach inner fringing reef lagoon be closed to the use of spearguns/handspears under Section 8 of the *Fisheries Management Act 1994*.

It should be noted that NSW Fisheries and representatives from the NSW Spearfishing and Freediving Association Pty Ltd are currently considering the introduction of an accreditation scheme, or regulatory control, to assist in the establishment of safety and environmental standards of behaviour for all spearfishers. This initiative was proposed by spearfishing representatives, to address issues and concerns that have been raised by the general public.

The department and spearfishers are working together to prepare a discussion paper, which will be released to spearfishers and the general public, to gain community feedback about spearfishing activities. The proposed accreditation scheme is intended to improve spearfishers' understanding of the rules and regulations and promote awareness of the community's expectations of spearfishing, to improve the public image of their sport.

Outcomes

The Council was informed that NSW Fisheries Officers had investigated public safety concerns at Shelly Beach Lagoon and recommended the declaration of a spearfishing closure in the inner fringing reef of the lagoon to address the concerns. NSW Fisheries has also received a further proposal to introduce a marine protected area from the rocks on the northern side of Shelly Beach Lagoon south to Watonga Rock, Lighthouse beach.

The Council's underwater representative expressed concern over the time period for consultation on this issue and the further reduction in areas available for spearfishing, especially areas where beginners can practice in safety.

Council noted that the sheltered Shelly Beach Lagoon is a popular swimming area for families with young children. Although local council comments are not available the proposal appears to represent a genuine consensus from the local community on the issue. Council recommended that the closure should therefore be implemented noting that a spearfishing accreditation scheme is currently being developed to address these types of issues.

Recommendation

ACoRF support the proposal that the Shelly Beach inner fringing reef lagoon be closed to the use of spearguns/handspears under Section 8 of the *Fisheries Management Act 1994*.

Moved: John Dunphy

Seconded: Scott Mitchell

Carried

Issue

Opportunities for carers assisting disabled people (who are exempt from the licence) to also be exempt from the need to hold a licence.

Background (provided by NSW Fisheries)

NSW Fisheries is often approached by carers of disadvantaged or disabled persons who engage in fishing activities for exemption from payment of the general recreational fishing fee (GRFF). Many carers, respite carers and community support groups assist people with challenging behaviours and conditions. This may also include disabled persons and the elderly, who are currently exempt from paying the fee, as they hold a Commonwealth Pensioner Concession Card. For example, NSW Fisheries received a request from New Horizons Enterprises Limited, a non-profit/volunteer organisation that cares for mentally disabled persons, regarding exemption opportunities for carers.

Part of a carer's role is to assist these people with every day activities at home and also outings for recreational pursuits. Fishing has been found to be a very beneficial therapy for many disadvantaged and disabled persons. Carers who provide support for disadvantaged or disabled persons who are fishing are often actively involved in the fishing process themselves. They may bait the hook, cast the rod and assist with retrieving fish. Most carers are either professional health workers, are attached to an organisation, or are volunteers or family members.

The exemptions provided for in the *Fisheries Management Act 1994* and associated regulations do not specifically apply to carers in these circumstances. However, the GRFF policy states that any carer who is assisting a disadvantaged or disabled person to fish is to be regarded as being exempt from paying the fee, provided they are not actively engaged in fishing themselves and they have some form of carer identification for verification.

NSW Fisheries feels that an amendment to the regulations may be required to extend the exemption provisions.

Outcomes

It was noted that an adult assisting a person under the age of 18 to take fish using a single rod or line or a single dip or scoop net per child is exempt from holding a recreational fishing licence under the *Fisheries Management (General) Regulation 2002*.

The Council was advised that a number of part-time or volunteer carers have approached NSW Fisheries to request exemption from holding a recreational fishing licence when assisting a disabled person to take fish. Although current GRFF policy allows Fisheries Officer's to use their judgement on this issue many genuine carers cannot meet the policy requirements by providing adequate identification of their status.

The Council agreed that carers, assisting the holder of a Disability Support Pension card to take fish using a single rod, should also be exempt from holding a recreational fishing licence as per the adult assisting a child exemption.

Recommendation

ACoRF supports the extension of recreational fishing licence exemptions to carers assisting a person holding a Disability Support Pension card to take fish using a single rod or line or a single dip or scoop net.

Moved: Elaine Garvey

Seconded: Scott Mitchell

Carried

Issue

Proposed regulation amendment regarding the method for measuring mesh on a push or scissors net (prawns).

Background

There appears to be an anomaly in the regulation regarding the method for measuring the mesh on a push or scissors net. At present, the push or scissors net is not included on the list of nets where an additional weight is attached to the net measuring device. Therefore, this net must be measured without the additional weight.

It appears as though these regulations have been carried forward from earlier versions and probably date back many years. It is understood that, at the time when the regulations were first made, the mesh typically used for push or scissors nets was probably a lighter gauge than was typically used on the hand hauled prawn net, and that additional weight was not required to fully stretch the mesh for measurement.

It is proposed to amend Table 1(a) of cl.116 of the regulation to include the push or scissors net (prawns) into the prescribed nets. A copy of the regulation is attached.

Outcomes

The Council agreed that the requirements for measuring the mesh on a push or scissors net should be consistent with other nets.

Recommendation

ACoRF supports the amendment of Table 1(a) of cl.116 of the regulation to include the push or scissors net (prawns) into the prescribed nets.

Moved: Scott Mitchell

Seconded: Elaine Garvey

Carried

Other Business

- a) Dr Bob Creese, Principal Conservation Scientist, provided an update on *Caulerpa taxifolia*. Main points of this update include the following:

NSW Fisheries has chosen salt smothering as the main method for control of *Caulerpa taxifolia* in NSW estuaries. It has been found that salt smothering usually removes *Caulerpa* completely and *Zostera*, a native seagrass, often present within *Caulerpa* infestations, recovers from salt treatment at all concentrations tested.

Results of treatments have been promising with many areas now under control. Infestations in Port Hacking have naturally disappeared after heavy rain. Natural die back also occurs in most areas over winter with shallow water infestations disappearing completely. Treatments in Botany Bay have been logistically difficult and had limited success due to the sparse and widely distributed nature of infestations in the bay.

Monitoring of current infestations and early intervention in new affected estuaries is now the focus of the *Caulerpa* program. Current research efforts are concentrating on the control of large scale, sparsely distributed infestations which involve logistical problems, such as in Botany Bay.

- b) Mr John Pursey, Senior Conservation Manager – Threatened Species, provided an update on eastern cod. Main points of this update include the following:

Eastern cod is listed as an endangered species under Schedule 4 of the *Fisheries Management Act 1994*. A recovery plan for eastern cod was developed and exhibited in 1999. A number of agencies have been identified that have a role in the recovery of this species. NSW Fisheries is currently awaiting responses from these agencies before finalisation of the plan. Recovery actions set out under the plan include habitat protection, conservation, stocking, education and compliance.

Provision of adequate environmental flows for eastern cod is imperative to habitat protection and the recovery of the species. To achieve this it is essential that environmental flows for eastern cod are considered within the water allocation plans currently being developed in NSW.

NSW State Forests will implement logging exclusion zones and requirements for stream crossings and erosion control around all relevant streams. Expressions of interest have been called in the Cooper region for a tender that hopes to achieve habitat connectivity, quality riparian vegetation, re-snagging and exclusion of cattle grazing from eastern cod rivers.

A number of research projects are currently being undertaken. Topics include:

- Eastern cod population profiles at core sites and assessment of past stocking success.
- The impacts of river accessibility on eastern cod populations.
- The ecology and biology of eastern cod.
- Reproductive behaviour - the availability of habitat critical to reproduction and the implications of disturbance during the breeding period.
- The genetics of stocked fish.

- c) Expression of Interest advertised for impending vacancies on ACoRF (January 2004).

Action Item: NSW Fisheries to distribute to ACoRF the latest members contact list which includes the terms of appointment of all members.

d) Black Ned's Bay, Lake Macquarie (Lionel Jones).

The Council considered the environmental concerns raised by Lionel Jones, Council representative for estuarine habitat, regarding Black Ned's Bay mangrove community. It was noted that prior to channel modification and development this bay was a prime saltmarsh area. Since development mangrove seeds have established and the bay is slowly becoming a mangrove swamp. These encroaching mangroves are protected from removal under Section 204 to 205A of the *Fisheries Management Act 1994*.

NSW Fisheries advised that this issue should be referred back to Lake Macquarie Council and the Lake Macquarie Management Advisory Committee for their consideration. The Council agreed that the NSW Fisheries Director-General should be notified about this issue.

Action Item: ACoRF advise the NSW Fisheries Director-General of the Council's concern with mangrove encroachment in Lake Macquarie.

e) Status of regional Pro-Am consultative committees.

At the last meeting, the Minister raised the issue of promoting consultation between stakeholders and requested the Council's feedback regarding Pro-Am committees as a possible forum to assist stakeholder consultation on a regional level.

The council recognised the need for stakeholder consultation and noted that NSW Fisheries is conducting a review aiming to improve advisory structures for the NSW seafood industry. As part of this review NSW Fisheries has written to recreational fishing clubs and associations in NSW to seek their opinion on these issues. Submissions from recreational fishing clubs and associations close on 23 January 2004. The Council will provide feedback regarding Pro-Am committees as a possible forum to assist stakeholder consultation after this date.

f) Guidelines for the Environmental Impact Assessment of Recreational and Charter Boat Fishing in New South Wales were distributed to Council members as requested.

g) Angel Rings Liability.

NSW Fisheries advised the Council of ANSA's concern over the unwillingness of Local Council and NSW NPWS to accept liability of ANSA angel rings installed on Local Council land or within a NSW National Park. Council are supportive of this important life saving program and noted that liability formed a major barrier to further installations.

Correspondence received

- Submission from Mr William Bevan requesting a marine protected area adjacent to Sea Acres Nature Reserve, Port Macquarie.

Action Item: Council to consider Mr William Bevan's submission at the next meeting.

- Request from Mrs Debbie Pearce regarding the issue of an exemption for payment of the recreational fishing licence fee to her husband, Mr Pearce.

Mr Pearce receives WorkCover allowances, through the Workers Compensation Scheme, but is not eligible for a Commonwealth Pensioner Concession Card. Mr Pearce is therefore not exempt from buying a fishing licence. Mrs Pearce has argued that this position is discriminatory as Mr Pearce is earning less per fortnight than a disabled pensioner.

NSW Fisheries investigated fortnightly entitlements received through the Commonwealth pension and determined that an aged person can receive between \$378-\$452 per fortnight

and a disabled person can receive between \$291-\$397 per fortnight. Mr Pearce claims to receive \$543 per fortnight through the Workers Compensation Scheme, which is higher than both Commonwealth pensions investigated. According to these figures Mrs Pearce's claim, that the Workers Compensation allowance is lower than the Commonwealth pension, appears to be incorrect.

WorkCover has also advised NSW Fisheries that the Workers Compensation Scheme is a temporary form of entitlement which focuses on rehabilitation and returning workers to suitable, safe and durable employment. After consideration of Mr Pearce's situation the Council decided not to support the issue of an exemption for payment of the recreational fishing licence fee to Mr Pearce because the information supplied on financial hardship was inaccurate.

- Letter from Mr Geoff Stock, a Victorian resident, commending NSW Fisheries on first class fisheries management.

The Council noted Mr Stock's positive comments.

Recommendations

ACoRF does not support the extension of the licence exemptions to WorkCover card holders.

Motion: Lionel Jones

Seconded: Elaine Garvey

Carried.

Around the table

- The Council expressed concern over the cost for copies of the NSW Fisheries Freshwater Stocking Environmental Impact Statement (3 volumes), which is currently being exhibited for public comment. The Council requested that future Fisheries Management Strategy public consultation documents be accompanied by short overview papers issued free of charge and made publicly available.
- Council requested more background information to be included in NSW Fisheries media releases.
- Council informed NSW Fisheries that the closure to the taking of crustaceans from Throsby Creek is currently not sign posted.

Action item: NSW Fisheries to re-erect a sign at Throsby Creek prohibiting the taking of crustaceans.

- NSW Fisheries informed the Council that consultation over the proposed restrictions associated with the Montague Island grey nurse shark critical habitat is ongoing.

Next meeting –Thursday 29 April 2004 (RFTSEC 6 April; RFFTEC 1 April) .