

# ESTUARY PRAWN TRAWL MANAGEMENT ADVISORY COMMITTEE MEETING

## AGENDA

28 and 29 April 2009

10:00 am to 5:00 pm

Sydney Fish Markets  
Pymont NSW

### Chairperson

Mr Brian Beer

### Management Advisory Committee Representatives

Mr Don Johnson	Clarence River
Ms Suzane Hamilton	Hunter River
Mr Rolf Norington	Hawkesbury River
Mr Malcolm Poole	Recreational Fishery
Ms Fiona Hill	Director-General's nominee

	Welcome and Apologies	Chairperson
	Agreement on agenda for 28 and 29 April 2009	Chairperson
	Confirmation of draft outcomes for EPTMAC meeting on 23 November 2007	Chairperson
	Correspondence received and sent	Chairperson
1	Business arising from the previous meeting	Chairperson
2	Updates	DPI
3	Structural adjustment and future direction for the Estuary Prawn Trawl Fishery	DPI
4	Catch record reform project	DPI
5	Licence splitting policy	DPI
6	Regulatory Reform	DPI
7	Code of Practice	DPI
8	Species Recovery Planning Process	DPI
9	Hunter River Season	Industry
10	Prawn Counts	DPI
11	Other Business	Industry/DPI
12	Chairperson's summary	Chairperson

**Chairperson**

**Issue**

Welcome and apologies

**Background**

**Outcome**

**Chairperson**

**Issue**

Agreement on agenda

**Background**

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 31 March 2009.

**Outcome**

**Chairperson**

**Issue**

Confirmation of draft minutes from the previous meeting on 23 November 2007.

**Background**

Draft outcomes for the EPTMAC meeting on 23 November 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.

**Outcome**

**Chairperson**

**Issue**

Correspondence received and sent

**Background**

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

**Outcome**

## EPTMAC CORRESPONDENCE LIST

<b>Date</b>	<b>From</b>	<b>Issue</b>	<b>To</b>	<b>Action</b>
2/12/2007	Hawkesbury Rep	Hawkesbury River c" Prawn 'No cook – no cool' Zone	CIE Branch	Comment
7/12/2007	CIE Branch	Hawkesbury River c" Prawn 'No cook – no cool' Zone	EPT Hawkesbury Rep	Information
24/12/2007	NSW DPI	Fisheries Compliance Branch restructure advice	EPTMAC	Information
16/01/2008	Chair	Chairpersons summary EPTMAC meeting 23 November 2007	Minister	Information
8/1/02008	NSW DPI	Advice to fishers that Herring is allowed to be retained by EPT in the Hawkesbury River as a by product species. Retention of flounder or sole above the minimum legal length or otherwise is not permitted under the <i>Fisheries Management (General) Regulation 2002</i>	EPTMAC	Information
29/01/2008	NSW DPI -Research	Updating priorities listed in the strategic research plan.	Chair	Comment
4/02/2009	NSW DPI	National Seafood Industry Leadership program call for submissions	EPTMAC	Information
19/02/2008	Minister	Letter from the Minister regarding the Chairperson's report of the EPTMAC meeting held on the 23 November 2007.	Chair	Information
21/02/2008	NSW DPI	Out of Session Agenda Item – Snapper size limit	EPTMAC	Comment
27/02/2008	NSW DPI	Advice whether the EPT MAC members wish to seek Commonwealth export approval	EPTMAC	Comment
1/04/08	NSW DPI	Advice to industry regarding the introduction of square-mesh codends for prawn catching gear	Industry	Information
22/04/2008	NSW DPI	Advice regarding the DEWHA's interim export approval	EPTMAC	Information
2/05/2008	NSW DPI	Out of session agenda item – Catch reporting reform project information	EPTMAC	Comment
02/07/2008	NSW DPI	Draft EPT fishery Commonwealth export approval	EPTMAC	Comment
24/07/2008	NSW DPI	Notice to fishers regarding the phase-in period until the 1 January 09 applying in respect to square-mesh codends	EPTMAC	Information
31/07/2008	NSW DPI	Implementation of square-mesh codends in the EPT fishery	EPTMAC	Information
15/09/2008	NSW DPI	NSW EPT Fishery reassessment Submission to DEWHA for Export Approval	EPTMAC	Comment
22/09/2009	NSW DPI	Information paper on changes to regulation governing the NSW commercial fishing industry	Industry	Information

6/11/2008	NSW DPI	Reassessment of the Estuary Prawn Trawl Fishery	EPTMAC	Information
13/11/2008	NSW DPI	Draft export approval recommendations	EPTMAC	Comment
14/11/2008	NSW DPI	Changes to regulation governing NSW Commercial Fisheries	EPTMAC	Information
18/11/2008	NSW DPI	Consultation on Offshore Artificial Reefs Project	EPTMAC	Information
21/11/2008	Hawkesbury Rep	Letter to Mr. Peter Turnell from EPTMAC Hawkesbury representative	EPTMAC	Information
26/11/2008	NSW DPI	Outcome of phone-hook up re: DEWHA recommendations	EPTMAC	Information
1/12/2008	NSW DPI	Adaption of Fisheries and Fisheries Management to Climate Change	EPTMAC	Information
1/12/2008	NSW DPI	Wildlife Trade Operation approval	EPTMAC	Information
3/12/2008	NSW DPI	Information regarding the revised catch reporting arrangements	EPTMAC	Comment
13/01/2009	NSW DPI	Updating priorities in the strategic research plan	Chair	Comment
06/02/2009	NSW DPI	Advising of the section 8 fishing closure gazettal – Hunter River & Tributaries.	Hunter River EPTMAC member	Information
09/02/2009	NSW DPI	National Seafood Industry Leadership Program – call for submissions	EPTMAC	Information
27/02/2009	NSW DPI	Bycatch reduction devices	EPTMAC	Information
31/03/2009	NSW DPI	Call for agenda items for the April MAC meeting	EPTMAC	Information

**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 EPTMAC as complete have been removed from the list. Only action items included in the outcomes for the EPTMAC meeting on 23 November 2007 are included in the attached Action Status List.

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

**Outcome**

### Action Status List for the EPTMAC – Updated March 2008

Recommendation/Resolution/Action	Meeting	Responsibility	In Progress	Pending	Complete	Ongoing
Discussion on the research on 'riddling' to be included on the Agenda for the next meeting.	November 2007	DPI		✓ Research report provided at 1 September 2006 meeting.		
DPI to mail to all Hawkesbury and Hunter EPT fishers permit applications for square-mesh codends.	November 2007	DPI			✓ Approximately 80 permits were issued to EPT fishers in 2007/08. Industry has been advised that permits are available to any EPT fisher upon application.	
DPI to review pricing and valuation methodologies in the EPT fishery when resources are available.	November 2007	Industry/DPI		✓		
DPI to develop a policy regarding industry initiated trials / research on gear related initiatives.	November 2007	DPI			✓	
Hawkesbury EPT representative to arrange with the local DFO the appropriate time to meet with constituents to form a joint DPI/Industry working group and agree on approach for responding to small prawns or high levels of by-catch under the 'prawn count' and 'incidental catch ratio' program, noting the success experienced in the Clarence River.	November 2007	Industry		✓		
Hunter EPT representative to liaise with local DFO on concept of continuing to respond to small prawns or high levels of bycatch under the 'prawn count' and 'incidental catch ratio' program as they have in the past, noting that the fishing	November 2007	Industry		✓		

closure requires the DFO to consult a local working group before instigating closures.						
DPI to consider the MAC's suggestion that a small working group of relevant DPI and industry experts be formed to review the efficacy of the current method of measuring mesh size in respect of square-mesh codends.	November 2007	DPI		✓		✓
Industry representatives to include in the next agenda a list of species that they wish to be added to the 'by-product' lists in the EPTSMP.	November 2007	Industry		✓		
DPI to investigate (i) a potential moratorium on the prohibition on the retention of herring by EPT fishers and (ii) the retention of flounder and sole above the minimum legal length by Hawkesbury EPT fishers and provide advice to Industry as soon as practicable.	November 2007	NSW DPI			✓	
Hunter MAC representative to consult with fishers regarding a review of the seasonal arrangements for the Hunter River EPT fishery for the 2009/10 season.	November 2007	NSW DPI			✓ See Agenda Item 9.	
Chairperson to write to the Minister regarding the potential development of the above strategy. (Strategy that identifies (i) the key water quality parameters necessary for sustainable fisheries and (ii) establishes a mechanism to maintain and improve the environmental conditions required for sustainable fisheries production).	November 2007	Chair			✓ See Attachment 1.	
SIAC and ACoRF representatives to raise this issue (detailed in action item above) at next SIAC and ACoRF meetings.	November 2007	Industry			✓ Issue was raised at last SIAC meeting.	

DPI to table a draft EPTFMS performance assessment at next meeting.	November 2007	NSW DPI			✓ Progress of implementation of the EPT FMS status of performance indicators and most recent catch information was included in the submission to the Department of Water, Environment, Heritage and the Arts seeking export approval for the fishery. This submission was sent to all MAC members 15 September 2008	
DPI to distribute updated EPTMAC contact details to all members as soon as possible (members approval was granted).	November 2007	NSW DPI			✓	
DPI to update committee on any DPI submission made to the RTA regarding Pacific Highway upgrades over the Hunter River at the next meeting.	November 2007	NSW DPI			✓ RTA has not called for submission regarding the Pacific Highway upgrade at this stage.	

**Issue**  
Updates**Background**

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

**Management Update****Export Approval**

In July 2008 and on behalf of Industry, DPI provided the Department of the Environment, Heritage, Water and the Arts a submission seeking ongoing export approval for the Estuary Prawn Trawl Fishery. The submission was assessed for the purposes of the wildlife trade provisions of the *Environment Protection and Biodiversity Conservation Act 1999* and took account of measures that have been developed and implemented by DPI and Industry to improve the ecological sustainability of the fishery. A three year Wildlife Trade Operation approval was granted in November 2008.

**Seafood Industry Advisory Council (SIAC)**

SIAC met in February and December 2008 and covered a range of issues some of which will affect the future of all commercial fishers. The main issues discussed by SIAC at these meetings can be viewed on DPI's website at [www.dpi.nsw.gov.au](http://www.dpi.nsw.gov.au)

**Share Appeals**

All of the appeals (approx. 70) have been heard and the Fisheries Share Appeal Panels have made their recommendations with respect to each fishing business. NSW DPI will inform all the appellants of the result shortly.

**Bycatch Reduction Devices**

The Blubber Chute Bycatch Reduction Device (BRD) gazetted on 13 February 2009 contained two errors in the specifications section. The minimum length and sewn into codend requirements were rolled over from previous iterations of the Blubber Chute BRD. This is in the process of being amended and will be re-gazetted shortly.

EPT fishers in the Clarence River have initiated discussions with the Department regarding trialling alternative BRDs, such as the Radial Escape Panel and bottom-shooting grids. It is hoped these alternatives may work better in times when weed is prevalent.

**Closures**

On 6 February 2009, a closure issued under Section 8 of the *Fisheries Management Act 1994* was gazetted for the Hunter River and Tributaries. Schedule 8 of this closure notification pertains to the all endorsement holders in the Estuary General fishery and all recreational fishers and prohibits the use of the following from the date the Hunter River trawl season finishes to the date the Hunter River prawn trawl season commences: a prawn net (hauling), a hand-hauled prawn net as prescribed by clause 49 of the General Regulation and a push or scissor net (prawns) as prescribed by clause 50 of the General Regulation. This section 8 closure will be in place until 6 February 2014 unless sooner amended or revoked.

**Marine Pests**

NSW DPI has produced a short brochure summarising the actions Industry can take to minimise the spread of marine pests in NSW waters and made laminated 'marine pest identification cards' showing some of the major marine pests to watch out for. These are available free to NSW commercial fishers by calling Aquatic Biosecurity staff on (02) 4982 1232 or visiting your local Fisheries Office.

**Research Update**

An update will be provided at the meeting by Dr Steve Montgomery.

In addition, the following update has been provided by Dr Matt Broadhurst regarding the research currently being undertaken in the lower reaches of the Hawkesbury River.

**Research with Hawkesbury River trawlers**

In response to a lack of information about appropriate modifications to codends to improve the selectivity of squid trawls in the lower Hawkesbury River, the NSW DPI Fisheries Conservation Technology Unit recently started a series of trials. So far, two separate experiments have been completed.

The first experiment was done to validate the method for testing modified codends. During a meeting with some squid fishers in July 2008 at the Mooney Mooney Workers Club, one of the key concerns raised was that alternately towing modified and conventional trawls was not a particularly cost-effective approach for comparing different designs. A fine-meshed cover was designed that could be attached to the trawl to collect all of the escaping organisms. The first experiment was done to verify that the cover had no impact on the performance of the trawl.

During five days fishing between 15 and 19 September 2008, the cover was alternately zippered to the trawl body (over a codend made from 41-mm mesh and 120 meshes in circumference) and removed. 12 and 10 hauls were completed with and without the cover. The results showed that there was no effect of the cover on the numbers and weights of squid and bycatch retained in the codend. Based on the catch weights, it was also clear that approximately 30% of all squid (mostly the smaller 'bottle squid') escaped from the 120-mesh circumference 40-mm diamond mesh codend during fishing.

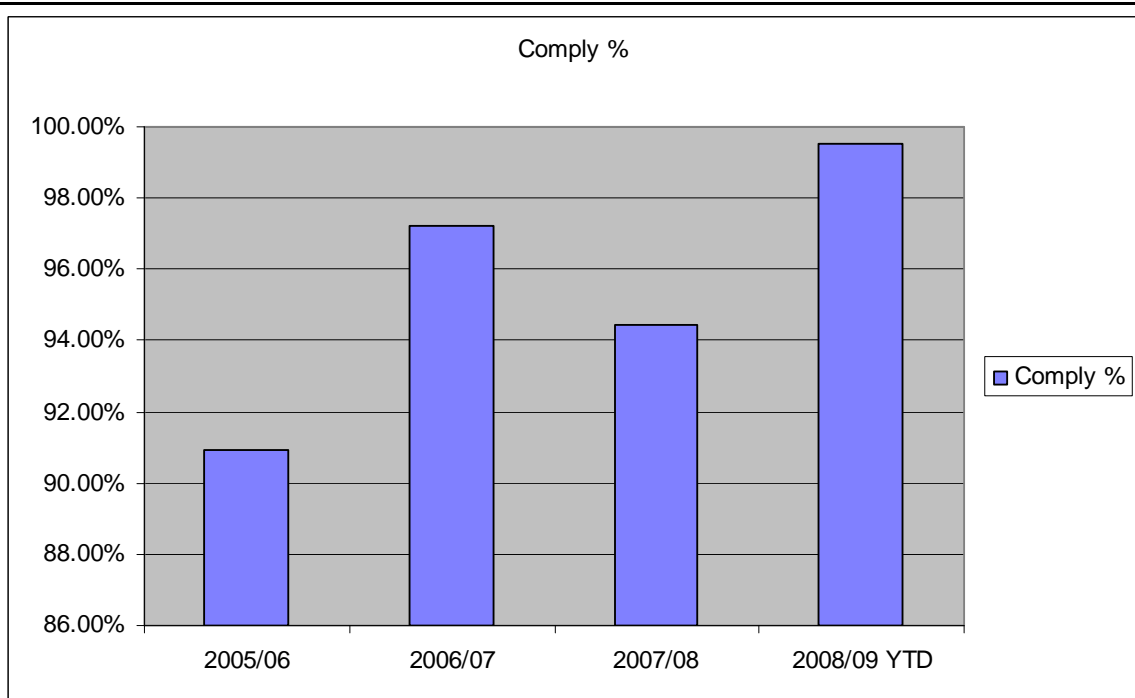
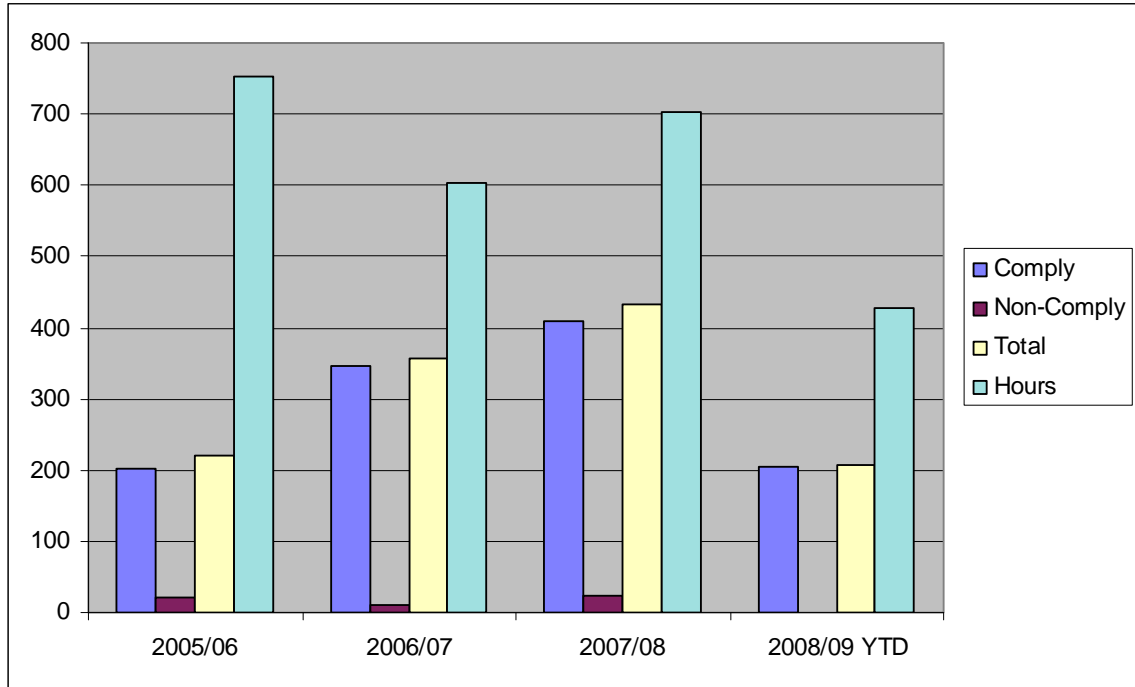
The second experiment was done between 1 and 5 December 2008 to test a square-mesh codend made from 29-mm mesh (hung on the bar) and a diamond-mesh codend made from 40-mm mesh and 150 meshes in circumference. During all hauls, the cover was attached to the trawl body to collect the escaping organisms. The data from this experiment are still being collated and will be analysed in due course.

A third experiment is planned for the first week in May 2009 to test two square-mesh codends made from 32 and 36-mm mesh hung on the bar. When combined with the data collected above, this work will provide considerable information on the utility of square-mesh for improving the selectivity of squid trawls, as well as directions for future research. Representatives of industry will be closely consulted with during all aspects of any ongoing work. A full report will be provided after the trials are completed.

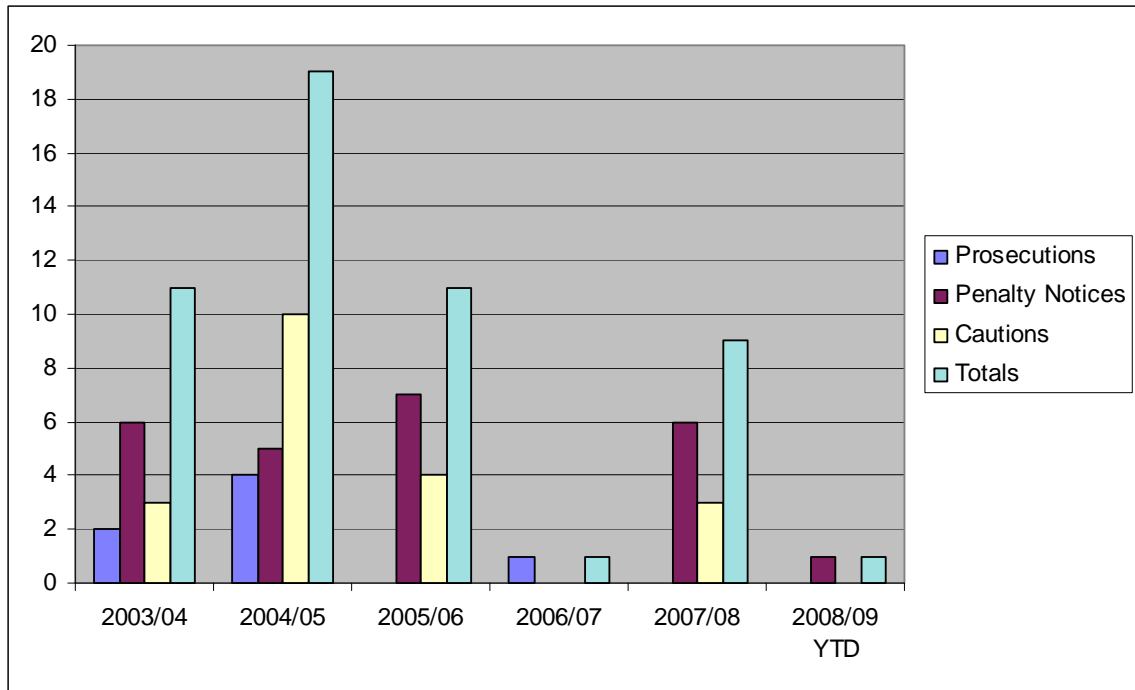
**Compliance Update – Mr Warren Winter**

An update will be provided at the meeting, including a discussion of the figures below regarding the EPT fishery.

	2005/06	2006/07	2007/08	2008/09 YTD
<b>Comply</b>	201	347	408	205
<b>Non-comply</b>	20	10	24	1
<b>Total</b>	221	357	432	206
<b>Hours</b>	754	603	702	428
<b>Comply rate</b>	90.95%	97.2%	94.44%	99.51%



Prosecutions	Penalty Notices	Cautions	Hours	
2003/04	2	6	3	N/A
2004/05	4	5	10	N/A
2005/06	0	7	4	754
2006/07	1	0	0	603
2007/08	0	6	3	702
2008/09 YTD	0	1	0	428



**Outcome**

**Issue**

Structural adjustment and future direction for the Estuary Prawn Trawl Fishery

**Background**

The NSW commercial fishing industry continues to face significant challenges as a result of changes in access, increasing operational costs, competition from imports, and excess catching capacity.

There are many options to promote structural adjustment and/or for alternate management frameworks, each with their own advantages and disadvantages.

Issues related to industry structure and alternate fishery management regimes have been discussed by the EPTMAC since its inception and were particularly considered during the restricted fishery process, as well as when developing the framework for allocation of shares in the fishery.

SIAC and its working group on structural adjustment have been working closely with DPI to explore ways of effectively addressing fishery issues, and in particular the need for long-term structural adjustment.

The Government has indicated support for a restructure of the commercial fishing industry that would make it more viable, and for undertaking legislative changes if necessary. A number of potential options exist and advice is being sought from the MACs for each fishery to assist development of a well thought-out and workable proposal that will provide a business environment that promotes a strong, healthy commercial fishing industry in NSW.

**Outcome**

**Issue**

Catch record reform project

**Background**

DPI is introducing revised catch and effort reporting arrangements for the NSW commercial fishing industry commencing from July 2009.

The revised reporting arrangements have been developed to address requirements for finer scale (spatial and temporal) information and are expected to provide an improved information base to support fishery management and planning processes and to enable more robust stock assessments to be completed. The revised arrangements also allow for more efficient administration processes and align reporting with the new share management fisheries arrangements which commenced in February 2007.

A document titled 'Business Requirements Specification – Revised Reporting Arrangements' was sent to all MAC members and other stakeholder group representatives in April 2008, seeking comment. In addition, DPI has met with a cross section of industry participants seeking advice on the new arrangements for catch and effort reporting.

A summarised list of the issues raised by stakeholders along with, a brief description of the DPI's response to each issue is available on the website.

DPI completed a pilot program in February 2009 to refine the new arrangements and this will be followed by an education and information campaign leading up to the commencement of the arrangements in July 2009.

An update on progress of the catch records reform project and the outcomes of the recent pilot program will be provided for the committee's information.

**Outcome**

**Issue**

NSW licence splitting policy

**Background**

The (voluntary) surrender of Commonwealth fishing authorities as part of the Federal Government's Securing Our Fishing Future buy-out was in breach of the long standing national licence splitting policy and NSW's fishing business transfer rules. A breach occurs as the external authorities have been separated from the business' NSW fishing authorities.

SIAC previously advised the Government to take strong action to prevent the displacement of fishing effort into NSW fisheries as a result of the separation of dual licences. In May/June 2007 the Minister approved six actions to help reduce the risk of additional fishing pressure moving into NSW waters. These included:

1. Cancelling any permits issued to former Commonwealth tuna longline fishers (i.e. those who surrendered Commonwealth tuna longline or poling permits) which authorised the taking of bait from NSW waters;
2. Deleting the policy provision to grant "new" permits to take bait from NSW waters for businesses that hold or acquire a Commonwealth tuna longline permit;
3. Requiring boats (and licences) previously upgraded above the standard boat replacement rules because the owner held a tuna longline permit, to return to their original NSW boat length if the owner surrendered that tuna longline permit;
4. Amending NSW DPI policy to remove provision to grant new approvals for the use of longer boats in NSW fisheries above the standard boat replacement rules;
5. Cancelling the relevant NSW fishing authorities of former dual licensed operators who have no recorded catches in NSW waters between the years 2000-2005;
6. Undertaking a review of the risk of increased fishing effort in NSW waters following the completion of the Commonwealth Government's buy-out and the recent NSW marine park buy-outs and development of a methodology for further action, if necessary, to mitigate the risk.

Actions 1 to 5 have been implemented. The review foreshadowed in the 6th action has also now been finalised and the Minister has approved a new methodology for action which minimises the risk of fishing effort shifting into NSW managed fisheries.

The methodology, which takes account of the risk posed by each individual business in breach of the transfer rules, is in the final stages of being applied to each former Commonwealth/NSW dual operator. It involves a proposal to take no action or to cancel some or all of the NSW fishing authorities of the businesses in question depending on their past level of NSW activity compared with all other State-only operators, subject to a 'show cause' process. The relevant business owners will be notified of the outcome in the near future.

The Minister has also approved application of the methodology to any other future cases where a dual operator fishing business splits their entitlements. This means that the previous 'blanket' licence splitting policy has been superseded by the new risk-based

approach. NSW DPI will be writing to all dual operators shortly to advise them of the new arrangements.

Out of the ~130 dual operator fishing businesses, 2 hold one or more shares in the Estuary Prawn Trawl Fishery.

The licence splitting policy will remain until such time as the Minister is satisfied the broader fishery management arrangements in place in NSW nullify the risks and thus eliminate the need to continue the policy.

## Outcome

## Agenda Item 6

DPI

### Issue

Regulation Reform

### Background

Since the implementation of the Estuary Prawn Trawl Share Management Plan resources have focused on (a) identifying current regulations that can be included in the Plan (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 that the majority of rules applicable to a fishery are included in the Plan;
- 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; and
- To reduce costs associated with maintaining fishing closures.

Many changes to the EPTSMP were gazetted in November 2008. A number of further changes, including conversion of the remainder of fishing closures into regulation, are currently underway (**Attachment 2**).

## Outcome

**Issue**

Code of Practice

**Background**

The Estuary Prawn Trawl Code of Practice has been updated to reflect changes in the legislative framework governing the fishery. Specifically the implementation of the *Fisheries Management (Estuary Prawn Trawl Share Management Plan) Regulation 2006* and *Fisheries Management (Supporting Plan) Regulation 2006* has necessitated minor amendments to the EPTCoP (**Attachment 3**).

**Outcome**

**Issue**

Species Recovery Planning Process

**Background**

If a species taken in a NSW commercial fishery is determined as overfished, the Fishery Management Strategies require implementation of, or assistance in developing, a recovery program for that species. Some FMS require drafting of a recovery program for consultation within a short timeframe, e.g. six months, of a species being determined as overfished.

The process of developing a recovery program for an overfished species initially involves NSW DPI preparing a summary of the known factors that have led to the determination and identifying a range of management options. Please note that a formal recovery program is not required for species that are determined as growth overfished if the Director-General, NSW DPI, considers that the combination of the existing harvest strategy and life history characteristics of the species provides sufficient protection.

If developed, a recovery program must include a description of the actions proposed to return to acceptable levels those parameter(s) that have led to the determination of the species being overfished. The recovery program also sets out a timeframe for that process and may specify further appropriate action should recovery targets not be met.

There are currently 11 species taken in NSW fisheries (abalone, eastern king prawn, eastern sea garfish, gemfish, grey morwong, mulloway, redfish, school prawn, silver trevally, snapper and yellowtail kingfish) which are classified as overfished or growth-overfished and require assessment and/or development of a recovery program. With the exception of Abalone, these species are taken at various life history stages across several fisheries, using a range of methods.

Given the number of species involved and the complexity of interaction between various fisheries, it is desirable that a consolidated process be introduced for evaluating the factors leading to over fishing and identifying appropriate management responses. This will provide consistent decision making and facilitate development of management options which provide benefit to multiple species and consider the cumulative environmental, social and economic impacts of the proposed arrangements.

To facilitate coordinated consultation it is proposed to use the Resource Assessment Review Committee as a point of contact for initial discussion rather than any one individual fishery MAC. Consultation with relevant MACs and advisory bodies will occur after a consolidated draft recovery program has been developed.

**Outcome**

**Issue**

Hunter River season

**Background**

The *Fisheries Management (Estuary Prawn Trawl Share Management Plan) Regulation 2006* provides for trawl seasons and operating hours for each of the three estuaries.

Currently the Hunter River trawl season is defined as:

16 (1) The trawl season for the Hunter River area commences on the first Monday on or after December 1 each year, and finishes on the last Friday in May each succeeding year.

Prior to the development of the EPTSMP, trawl seasons were provided for under Section 8 Closure Notifications.

The Department has received a proposal to amend the Hunter River season, to take effect from the 2009/10 season, to the following:

*“commences on the first the first Monday on or after November 1 each year, and finishes 31 June the following year.”*

A report submitted to the Department from the Hunter River representative will be tabled at the meeting for discussion.

The outcomes of the FRDC research project, *Studies of the growth and mortality of school prawns*, are currently being finalised by Dr Steven Montgomery. The objectives of the research were to estimate values for parameters describing growth of school prawns and to estimate values for instantaneous fishing mortality for school prawns. Data from this research will be an important component of the assessment of the proposal to amend the trawl season for the Hunter River area.

**Outcome**

**Issue**

Prawn Counts and Incidental Catch Ratios

**Background**

Fishing closures issued under section 8 of the Fisheries Management Act 1994 are in place for prawn counts and incidental catch ratios in each of the three estuaries.

Currently the section 8 closures provide for the following:

**1. Clarence River (expires 2 July 2009)**

Prohibits the taking, attempting to take or possession of prawns taken by any method in the Clarence River, if after grading, the number of prawns is greater than a count of 180 prawns per half kilogram.

The DFO determines in writing that the specified methods and specified parts of the estuary shall be temporarily closed, when:

- (a) the number of bream captured averaged across four (4), fifteen (15) minute deployments of trawl nets equals thirty (30) or more individuals, or
- (b) before grading the number of prawns is greater than a count of 200 prawns per half kilogram.

**2. Hawkesbury River (expires 27 May 2010)**

Prohibits the taking, attempting to take or possession of prawns taken by any method in the Hawkesbury River, if after grading, the number of prawns is greater than a count of 180 prawns per half kilogram.

The DFO determines in writing that the specified methods and specified parts of the estuary shall be temporarily closed, when:

- (a) the number of mulloway captured per trawl net deployment regardless of duration equals fifty (50) or more individuals, or
- (b) before grading the number of prawns is greater than a count of 180 prawns per half kilogram.

**3. Hunter River (expires 3 June 2010)**

Prohibits the taking, attempting to take or possession of prawns taken by any method in the Hunter River, if after grading, the number of prawns is greater than a count of 180 prawns per half kilogram.

The DFO determines in writing that the specified methods and specified parts of the estuary shall be temporarily closed, when:

- (a) the number of mulloway captured per trawl net deployment regardless of duration equals fifty (50) or more individuals, or
- (b) before grading, the number of prawns is greater than a count of 130 prawns per half kilogram.

DPI is reviewing and seeking advice on the prawn counts and bycatch counts contained in each of the section 8 closures. Things to consider include:

- the Clarence River is the only estuary with an ungraded prawn count of over 180;

- at the Juvenile Prawn Summit, held in June 2000, there was a recommendation to introduce a lower prawn count specifically for eastern king prawns to assist in improving the 'growth overfished' status of the species.

**Outcome**

**Agenda Item 11**

**Industry**

**Issue**

Other Business

Specific issues raised by each MAC representative follow for discussion.

Clarence River

1. Flexible opening and closing for the season i.e. 15 working days
2. Retaining additional by-product species
3. Bycatch reduction devices
4. Dredging Palmers Channel entrance to Lake Wooloweyah

Hunter River

1. Hunter River fishing season (see Agenda Item 9).

Hawkesbury River

1. Codend research in the lower Hawkesbury River and associated section 37 permits (see Agenda Item 2).
2. Rules associated with management staff being able to observe fishing operations on board commercial vessels.

**Outcome**

**Agenda Item 12**

**Chairperson**

**Issue**

Chairperson's summary

**Outcome**



## Chairpersons letter to the Minister

---

### ESTUARY PRAWN TRAWL MANAGEMENT ADVISORY COMMITTEE

#### Chairperson's Summary

The Estuary Prawn Trawl Management Advisory Committee (EPTMAC) met at the Cronulla Fisheries Centre on Friday 23 November 2007.

A summary of the key issues discussed by the EPTMAC follows:

- The Committee supported the proposed amendments to the *Fisheries Management (General) Regulation 2002* and the movement of provisions from the General Regulation into the *Fisheries Management (Estuary Prawn Trawl Share Management Plan) Regulation 2006*.
- The Committee noted industry concern regarding the measurement of the mesh size of square-mesh codends and suggested that a small working group of relevant Industry and DPI personnel be formed to review the efficacy of the current method of measuring mesh size.
- The Committee supported DPI developing a policy that facilitates Industry's ability to trial modifications to gear in the fishery.
- The Committee noted Industry concern regarding (i) the new size limits imposed on flounder, sole and silver trevally, and (ii) the potential for misinterpretation by fishers in relation to the interaction between the General Regulation relating to taking fish subject to size limits and species lists in the EPT Share Management Plan.
- The Committee noted the proposals tabled by the Hunter River representative regarding temporal arrangements for the fishery and the importance of fishers reaching consensus regarding issues in their fishery and supported a review of the opening and closing arrangements of the Hunter River EPT fishery for the 2009/10 season following the establishment of the most appropriate gear for use in the fishery.
- The Committee recognised the potential for the formation of a working group comprising representatives from the Seafood Industry Advisory Council and Advisory Council on Recreational Fishing to initiate the development of a strategy that:
  - (i) identifies the key water quality parameters necessary for sustainable fisheries, and
  - (ii) establishes a mechanism to maintain and improve the environmental conditions required for sustainable fisheries production.

The Committee noted that the strategy could be similar to the NSW Oyster Industry Sustainable Aquaculture Strategy and would be of benefit to all fisheries.

Brian Beer  
Chairperson, Estuary Prawn Trawl Management Advisory Committee  
16/1/08

---



## ATTACHMENT 2

### **Other changes relating to the NSW EPT fishing currently being proposed**

Additional information on these proposed changes will be issued prior to them taking effect. Amendments being developed include:

- Modifications to the registration requirements for nets;
- Carriage of stowed commercial fishing gear through closed waters;
- Re-instituting the 15 day flexible opening and closing arrangements for the Clarence River EPT fishery.



## NSW Estuary Prawn Trawl Fishery Fishers Code of Practice

The NSW Estuary Prawn Trawl Fishery is subject to the provisions under the *Fisheries Management Act 1994*, *Fisheries Management (Estuary Prawn Trawl Share Management Plan) Regulation 2006*, *Fisheries Management (Supporting Plan) Regulation 2006* and *Fisheries Management (General) Regulation 2002*. Fishers are also required to comply with a range of other Local, State and Commonwealth statutory requirements. For further details refer to *NSW Estuary Prawn Trawl Fishery Management Strategy*.

In addition to these regulations and conditions, many commercial fishers have expressed their commitment to take on greater responsibility and accountabilities for sustainable fisheries management.

*The Estuary Prawn Trawl Code of Practice* summarises the broad principles under which fishers operate. This Code applies to fishers using prawn trawl nets in NSW estuarine waters (see *NSW Estuary Prawn Trawl Fishery Management Strategy* for further details).

Please note that the term “fish” refers to all organisms that may be taken, or interacted with, by estuary prawn trawl fishers, including finfish, prawns, squid, crabs, octopuses, shrimp and sessile creatures.

### As a person participating in the NSW Estuary Prawn Trawl Fishery I will:

1. Ensure my actions do not bring the industry into disrepute.
2. Conduct fishing operations in a way that minimises disturbance to nesting and feeding sites of migratory and resident shorebirds.
3. Responsibly dispose of any litter or derelict fishing gear, either generated or collected in fishing operations.
4. Conduct fishing operations, and maintain fishing boats and vehicles, in a manner that minimises emissions, and water pollution.
5. Avoid using trawl nets over areas of Strapweed seagrass (*Posidonia australis*) or eelgrass (*Zostera capricorni*).
6. Observe all size limits for permitted species as set out in the regulations.
7. Ensure that true and accurate records of fish landed for sale are maintained and submitted in accordance with the Act.
8. Ensure that all permitted fish landed for sale are marketed in an authorised manner.
9. Conduct fishing operations in areas, at times, and in a manner, that minimises levels of bycatch. Use equipment (such as swim tanks or exclusion devices) or methods (such as



sorting catch while the net is still in the water or giving immediate priority to return bycatch to the water) that minimise bycatch levels, mortality and stress, and minimise the opportunity for predation by birds.

10. Promptly return the unwanted portion of any prawn catches to the water uncooked as soon as practicable, ensuring the least possible harm.
11. Use any implement necessary to ensure crew safety when sorting catch (such as large tongs), but not implements (such as a spike or club) that could pierce, beat or otherwise injure any fish or animal taken in the catch.
12. Be familiar with the list of, and methods of identifying, protected species and threatened species, populations and ecological communities that might be encountered during fishing operations.
13. Conduct fishing operations in areas, at times, and in a manner that minimises the potential for any interaction with protected species or threatened species, populations and ecological communities.
14. Report the location, time and date, in the comment section of the Estuary Prawn Trawl monthly catch return, or other appropriate logbook, of any interaction with, or sighting of, individuals of marine protected species or threatened species, populations and ecological communities or any interactions with threatened or protected sea birds.
15. Return any captured individual of a protected species or a threatened species, population or ecological community to the water with the least possible harm.
16. Suspend the fishing operation if a marine mammal, bird or turtle is captured, and allow the release of the animal from the net with the least possible harm.
17. Notify the department of major fish mortality events or disease outbreaks.
18. Deploy and retrieve gear in accordance with regulations.
19. Be familiar with and comply with any closures.
20. Ensure fishing operations are conducted with an acceptable level of safety for fishers and the public.
21. Comply with the instructions of the NSW Food Authority regarding the handling of fish and effective icing and storage to maximise the quality of product and minimise food safety hazards.
22. Be licensed by the NSW Food Authority, and have in place a Food Safety Plan to minimise food safety hazards associated with the harvest of all fish for human consumption.



23. Recognise and abide by the priority rights among commercial fishers as set out in regulations or any other guideline approved by the Estuary Prawn Trawl Management Advisory Committee (EPTMAC).
24. Be courteous to other waterway users.
25. Keep hand held lights at water level so that they are not shone into residential areas.
26. Minimise noise associated with fishing operations, especially between 10pm and 5am.
27. Respect the public amenity of boat ramps and wharfs by avoiding cleaning fish and gear in their vicinity and ensuring that access for other users is not unduly restricted.
28. Be aware of any changes to the *NSW Estuary Prawn Trawl Fishery Code of Practice* and regulations applicable to the fishery, and keep a current copy and any applicable regional supplements in my vehicle or boat.
29. Be aware of Indigenous culture in my area of operations, and respect the customs of the local Indigenous people.
30. Be pro-active, cooperate and assist with investigations relating to:
  - Identification and mapping of significant habitat and areas of environmental sensitivity
  - Gear modification for bycatch reduction
  - Sustaining fish stocks
  - Minimising interactions with threatened and protected species
  - Efficiency of fishing gear and operations
  - Any other relevant research programs
31. Inform the relevant authority of any pollution incident or significant environmental impact.
32. Comply with the by-laws and regulations of relevant local Councils, NPWS, NSW Food Authority and NSW Maritime, and any codes for fishers prepared by these organisations that are supported by the EPTMAC.
33. Be courteous and cooperative with any public official or member of the community.