

Eel Harvest (Dams and Impoundments)

NUMBER O-029

VERSION 4

AUTHORISED BY A/Principal Director Fisheries and Compliance

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Purpose

This policy details the management arrangements applying to the commercial harvest of river eels ("eels") from dams and impoundments of NSW.

Background

This policy has been developed to control a component of the overall harvest of eels in NSW, in the pursuit of ecologically sustainable resources.

1. Commercial Harvest of Eels in NSW

- a. The two species of eels harvested commercially in NSW are the Australian longfinned eel (*Anguilla reinhardtii*) and the Australian shortfinned eel (*Anguilla australis*), although the NSW harvest consists predominately of longfinned eels.

2. Eel Harvest from Inland waters

- a. With the exception of dams and impoundments (see below), the commercial harvest of eels from inland waters (waters not subject to tidal influence) is prohibited.

3. Eel Harvest from Estuarine Waters

- a. The commercial harvest of eels in estuarine waters is authorised via an eel trapping endorsement in the Estuary General Fishery ("the fishery").
- b. Under an eel trapping endorsement a licensed commercial fisher is only permitted to take eels in tidal waters in accordance with the provisions of the *Fisheries Management Act 1994* ("the Act"), the *Fisheries Management (Estuary General Share Management Plan) Regulation 2006* ("the Plan") and any other Regulation under the Act. These provisions include temporal and spatial fishing restrictions, the use of lawful gear, storage of live eels and catch and effort reporting requirements.

4. Eel Harvest from Dams and Impoundments

- a. The harvest of eels from dams and impoundments is authorised via a permit as detailed below.

Scope

This policy applies to the commercial harvest of eels (Family: Anguillidae) from dams and impoundments in NSW. The policy will be reviewed periodically and amended as necessary to account for matters such as the outcomes of any relevant research and/or resource assessments.

Policy

1. Commercial Eel Harvest from Dams and Impoundments

- a. To harvest eels commercially from dams and/or impoundments, a person must be a licensed commercial fisher with an eel trapping endorsement and be the holder of an Eel Trapping - Dams and/or an Eel Trapping - Impoundment permit issued by Industry and Investment NSW (I&I NSW).
- b. A permit may be issued to an eligible person from time to time on application to I&I NSW (fees apply) and will expire on the date specified in the permit. Permits are only issued if all prescribed activity records have been received by I&I NSW. If required, an assessment in

accordance with environmental legislation must be completed by an applicant prior to a permit being issued.

- c. To be eligible for a permit a person must own the Fishing Business that the person owned when they were first issued a permit, be endorsed with respect to the eel trapping shares of that same Fishing Business, have held a permit for a previous year and satisfy the requirements of sections 2.a and 3.a. below (as relevant).
- d. A permit will specify the methods that may be used and the holder is subject to all conditions that are outlined in the permit.
- e. A permit is not transferable.
- f. A person is ineligible for a permit if that person:
 - has not previously held a permit; or
 - ceases to hold a commercial fishing licence; or
 - ceases to own the fishing business that they owned when first issued with a permit; or
 - ceases to be endorsed with respect to the eel trapping shares of the fishing business that they owned when first issued with a permit; or
 - is convicted of any fisheries offence; or
 - fails to comply with any condition of the permit.
- g. When a person becomes ineligible for a permit, any permit they hold will be cancelled and no further permits will be issued in the future.

2. *Eel Trapping in Dams*

- a. Only licensed commercial fishers who held or were eligible to have held an Eel Trapping – Dams permit for the 2007/08 financial year are eligible for a permit.

3. *Eel Trapping in Impoundments*

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

Procedures

Nil.

Roles and responsibilities

Nil.

Delegations

The power to issue and cancel permits relevant to this policy is delegated to positions in line with what is the current formal delegated authority gazetted from time to time for issuing permits under section 37 of the Act.

Legislation

- *Fisheries Management Act 1994*
- *Fisheries Management (General) Regulation 2010*
- *Fisheries Management (Supporting Plan) Regulation 2006*
- *Fisheries Management (Estuary General Share Management Plan) Regulation 2006*

Related policies

Nil.

Other related documents

Nil.

Definitions

- **Endorsement:** An endorsement on a commercial fishing licence that authorises the taking of fish in the fishery.

- Permit: Unless otherwise specified, a reference to a permit is a reference to both an Eel Trapping - Dams and Eel Trapping - Impoundments permit issued under the provisions of Section 37 of the Act.
- Prescribed activity record: Has the meaning given by clause 215 of the *Fisheries Management (General) Regulation 2010*.

Superseded documents

- None.

Revision history

Version	Date issued	Notes	By
1	1992		
2	29/11/2007	Update of policy.	ED, FC & RR
3	11/04/2008	Amendments to permit eligibility.	ED, FC & RR
4	05/01/2011	Amendments made to clarify when a person is eligible for a permit.	A/ Principal Director Fisheries and Compliance,

Review date

January 2013

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