

# ESTUARY GENERAL MANAGEMENT ADVISORY COMMITTEE MEETING

## AGENDA

26 & 27 March 2009

10:00 am to 5:00 pm

South Cronulla Surf Club  
Cronulla, NSW 2230

### Chairperson

Mr Patrick Appleton

### Management Advisory Committee Representatives

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

	Welcome and Apologies	Chairperson
	Agreement on agenda for 26 & 27 March 2009	Chairperson
	Confirmation of draft outcomes for EGMAC meeting on 14 December 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 General Fishery	DPI
4	Catch record reform project	DPI
5	Licence splitting policy	DPI
6	Regulatory Reform	DPI
7	Species Recovery Planning Process	DPI
8	Code of Practice	DPI
9	Prawn set pocket net priority determinations	DPI
10	Other Business	Industry/DPI
11	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 18 February 2009.

**Outcome**

**Chairperson**

**Issue**

Confirmation of draft minutes from the previous meeting on 14 December 2007.

**Background**

Draft outcomes for the EGMAC meeting on 14 December 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**

## EGMAC CORRESPONDENCE LIST

<b>Date</b>	<b>From</b>	<b>Issue</b>	<b>To</b>	<b>Action</b>
24/12/2007	NSW DPI	Fisheries Compliance Branch restructure advice	EGMAC	Information
24/12/2007	QLD DPI	Review of the QLD East coast inshore fin fish fishery	EGMAC	Comment
8/1/02008	NSW DPI	Advice to fishers that Herring is allowed to be retained by EG fishers as they are included in the group of species listed as "Whitebait spp. – various"	EGMAC	Information
8/01/2008	NSW DPI	Draft outcomes sent for review	EGMAC	Comment
15/01/2008	Chair	Chairpersons summary from EGMAC meeting 14 December 2008	Minister	Information
11/01/2008	NSW DPI	Out of Session Agenda Item – Renewal of Caulerpa closures	EGMAC	Comment
21/02/2008	NSW DPI	Out of Session Agenda Item – Snapper size limit	EGMAC	Comment
27/02/2008	DECC	Expression of Interest regarding the Solitary Island Marine Park Advisory Committee (SIMPAC)	EGMAC	Information
27/02/2008	DEWHA (previously Department of Environment and Water Resources)	Management arrangements for commercial fishing in the Solitary Islands Marine Reserve	EGMAC	Information
7/04/2008	NSW DPI	Advice regarding the proposed changes for the use of square-mesh codends	Chair	Information
7/04/2008	NSW DPI	Out of session agenda item – DEWHA comments regarding the EG fishery in terms of export approval	EGMAC (conference call)	Comment
2/05/2008	NSW DPI	Out of session agenda item – Catch reporting reform project information	EGMAC	Comment
6/05/2007	NSW DPI	Advice regarding the DEWHA's interim export approval	EGMAC	Information
8/07/2008	Minister	Letter from the Minister regarding the Chairperson's report of the EGMAC meeting held on the 14 December 2007.	Chair	Information
24/07/2008	NSW DPI	Notice to fishers regarding the phasing – in period until the 1 January 09 applying in respect to square-mesh codends	EGMAC	Information
28/08/2008	NSW DPI (phone call)	Out of session agenda item – renewal of Wapengo Lake closure	EGMAC	Comment
24/10/2008	NSW DPI	Out of session agenda item - Comments sought regarding the section 8 fishing closure - abalone gut as bait	EGMAC	Comment
1/12/2008	NSW DPI	Information regarding a program being established for South	EGMAC	Information

		Eastern Australia fisheries adaptation to climate change		
3/12/2008	NSW DPI	Information regarding the revised catch reporting arrangements	EGMAC	Comment
24/12/2008	EGMAC	Advice regarding the extended phasing-in of square-mesh codends in the EG fishery	EGMAC	Information
12/01/2009	NSW DPI	Updating priorities in the strategic research plan	Chair	Comment
21/01/2009	NSW DPI	Out of session agenda item - renewal of Caulerpa closure	EGMAC	Comment
27/01/2009	NSW DPI	Notice to fishers regarding discard chute guidelines for the EG fishery	EGMAC	Information
28/01/2009	NSW DPI	Advising of the section 8 fishing closure gazettal - Manning River & Tributaries	EGMAC	Information
4/02/2009	NSW DPI	National Seafood Industry Leadership program call for submissions	EGMAC	Information
6/02/2009	NSW DPI	Advising of the section 8 fishing closure gazettal - Hunter River & Tributaries	EGMAC	Information
13/02/2009	NSW DPI	Advising of the section 8 fishing closure gazettal - Caulerpa taxifolia	EGMAC	Information
18/02/2009	NSW DPI	Call for agenda items for the March MAC meeting	EGMAC	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 EGMAC as complete have been removed from the list. Only action items included in the outcomes for the EGMAC meeting on 14 December 2007 are included in the attached Action Status List.

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

**Outcome**

### Action Status List for the EGMAC – Updated February 2009

Recommendation/Resolution/Action	Meeting	Responsibility	In Progress	Pending	Complete	Ongoing
Advise the Committee of possible costs associated with the implementation of RFGs at the next meeting as per the FMS	November 2004	DPI		✓		
DPI to review the number of hoop/lift nets and crab traps that may be used at one time, authorised times of operation and species that can be retained by mud crab trapping endorsement holders.	June 2005	DPI		✓		
Region 7 fishers to liaise with relevant stakeholder groups regarding the partial opening of certain RFH's to commercial fishing.	October 2005	Industry		✓		
Consult with fishers regarding the resolution of crab trapping issues.	March 2007	Industry	✓			
Provide advice on high priority closures for consideration by SIAC.	March 2007	Industry	✓			
Industry to liaise with DPI regarding the potential to amend some specific fishing closures on a priority basis, particularly those that may no longer serve their original intent.	March 2007	DPI/Industry		✓		
Provide MAC with most recent fisher numbers at each meeting.	March 2001	DPI				✓
Industry representatives to investigate the possible attendance at the next ACPF Forum.	December 2007	Industry		.	✓	

The relevant representative from DECC be invited to attend the next EGMAC meeting to discuss their policy regarding beach access via National Parks.	March 2007	NSW DPI		✓		
DPI to investigate the feasibility of media releases stipulating that a fisheries offender is a commercial or non-commercial fisher.	December 2007	NSW DPI			✓	
DPI to develop a policy that facilitates Industry's ability to trial modifications to gear in the EG fishery.	December 2007	NSW DPI			✓	
Industry to liaise with stakeholders and DPI regarding the potential to limit access to the EG fishery to licensed commercial fishers only.	December 2007	Industry		✓		
DPI to increase the maximum mesh size in eel traps from 40mm to 50mm.	December 2007	NSW DPI	✓			
Industry representatives to consult with their relevant constituents and DPI regarding the potential for Industry managed prawn set pocket net priority determinations.	December 2007	Industry		✓		
DPI to investigate the potential for herring to be included in the list of species permitted to be taken in the fishery.	December 2007	NSW DPI			✓	
DPI to provide EGMAC with update on conservation issues relevant to the EG fishery at the next EGMAC meeting.	EGFMS	NSW DPI			✓	
Chairperson to write to the Minister regarding the potential development of a fisheries strategy similar to the NSW Oyster Industry Sustainable Aquaculture Strategy and raise the issue at SIAC and ACoRF.	December 2007	Industry			✓	

**Issue**  
Updates**Background**

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

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

In February 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 General 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 five year export approval was granted in July 2008.

**Seafood Industry Advisory Council (SIAC)**

SIAC met in February and December 2008 and covered a raft of issues some of which will affect the future of every commercial fisher. The main issues discussed by SIAC at this meeting 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.

**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** - Dr Douglas Rotherham.

**Compliance Update** - Mr John Timmins.

**Conservation Update** - Ms Carla Ganassin.

**Outcome**

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

Structural adjustment and future direction for the Estuary General 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 EGMAC 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 it's working group on structural adjustment has 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****Agenda Item 4****DPI****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**

## **Agenda Item 5**

**DPI**

### **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 (ie. 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 ~115 dual operator fishing businesses, 18 hold one or more shares in the Estuary General 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 General Share Management Plan resources have focussed 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 EGSMP were gazetted in November 2008. A number of further changes, including conversion of the remainder of fishing closures into regulation, are currently underway (**Attachment 1**).

## Outcome

## Agenda Item 7

DPI

### 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 overfished to some extent 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

## Agenda Item 8

DPI

### Issue

Code of Practice

### Background

The Estuary General Code of Practice has been updated to reflect changes in the legislative framework governing the fishery. Specifically the implementation of the *Fisheries Management (Estuary General Share Management Plan) Regulation 2006* and *Fisheries Management (Supporting Plan) Regulation 2006* has necessitated minor amendments to the EGCoP (**Attachment 2**)

### Outcome

## Agenda Item 9

DPI

### Issue

Prawn set pocket net priority determinations

### Background

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

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

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

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

## Outcome

## Agenda Item 10

Industry

### Issue

Other Business

Specific issues raised by each MAC representative follow for discussion.

### Region 1

1. Dredging in the Tweed River

### Region 2

1. What role will MAC's play in the future?
2. Where do we stand with structural adjustment?
3. Square mesh codends on set pocket nets.
4. Confirm when 500 g limit for eels will be in regulation.
5. Fish trapping areas in the Clarence.
6. Set netting (times of deployment).
7. Bigger floats on eel/fish/crab traps eg 150mm.
8. Signage at boat ramps to advise public of commercial activity.
9. Ongoing problem of fish kills.

### Region 3

1. Review of trapping arrangements.
2. Section 8 closure review.
3. Eel trapping in Recreational Fishing Havens.
4. Lack of consultation since December 2007.

### Region 4

1. Composite square-mesh codends.
2. Inclusion of Carp as a permitted species to be taken in the fishery.

3. Codend mesh size in the prawn net (set pocket) used in the cooling water inlet to Munmorah Power Station.
4. Potential size limit on pipis.

**Region 6**

1. Specific rights of Fisheries Officers to request information.
2. Potential amendment to minimum mesh size of the garfish net (bullringing).
3. Buyout program.

**NCC**

1. NSW DPI to map all seagrass beds in NSW estuaries.
2. That all seagrass meadows be signposted and an appropriate speed limit applied.
3. That the MAC apply to have all seagrass communities in NSW declared as a Threatened Ecological Community under the *EPBC Act*.

**Outcome**

**Agenda Item 11**

**Chairperson**

**Issue**

Chairperson's summary

**Outcome**



**Estuary General Share Management Plan - Proposed Amendments**

- Minimum weight for longfinned eels (as an alternative to a minimum length);
- Modifications to the registration requirements for nets;
- Moving the hoop or lift net into the EGSMP;
- Moving the hand-hauled prawn net into the EGSMP;
- Moving the push or scissor net into the EGSMP;
- Moving the dip or scoop net (prawns) into the EGSMP;
- Moving the crab trap into the EGSMP;
- Moving the eel trap into the EGSMP with modifications;
- Moving provisions relating to the storage of eels into the EGSMP;
- Moving the netting priority provisions into the EGSMP with modifications;
- Changes to the prawn set pocket net ballot arrangements;
- Regulating for the 'Missingham Bridge mullet shot'; and
- Carriage of stowed commercial fishing gear through closed waters.



## **NSW Estuary General Fishery** **Fishers Code of Practice**

The NSW Estuary General Fishery is subject to the provisions under the *Fisheries Management Act 1994*, *Fisheries Management (Estuary General 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 General 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 General Code of Practice* summarises the broad principles under which fishers operate. This Code applies to fishers using a variety of fishing methods in NSW estuarine waters and on ocean beaches (see *NSW Estuary General 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 general fishers, including finfish, prawns, crabs, pipis, beach worms, eels, invertebrates and sessile creatures.

### **As a person participating in the NSW Estuary General Fishery I will:**

1. Ensure my actions do not bring the industry into disrepute.
2. Responsibly dispose of any litter or derelict fishing gear, either generated or collected in fishing operations.
3. Conduct fishing operations, and maintain fishing boats and vehicles, in a manner that minimises emissions and water pollution.
4. Obtain all permissions required by any relevant Council, Government Department or private land owner for accessing fishing grounds, use only authorised access points (if designated), and comply with any agreements relating to the use of keys, gates and closures.
5. Work with local Councils to signpost entry and exit points used to access fishing grounds.
6. Conduct fishing operations in a way that minimises disturbance to nesting and feeding sites of migratory and resident shorebirds.
7. Minimise the need to tie up to mangroves and other riparian vegetation.



8. Avoid using prawn hauling nets, hand hauled prawning or prawn seining nets over areas of seagrass.
9. Avoid using hauling nets over areas of Strapweed seagrass (*Posidonia australis*).
10. Observe all size limits for permitted species as set out in the regulations.
11. Ensure that true and accurate records of fish landed for sale are maintained and submitted in accordance with the Act.
12. Ensure that all permitted fish landed for sale are marketed in an authorised manner.
13. Conduct fishing operations in areas, at times, and in a manner, that minimises levels of bycatch.
14. 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.
15. Promptly return the unwanted portion of any prawn catch to the water alive as soon as practicable, ensuring the least possible harm.
16. 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, impale, beat or otherwise injure any fish or other organism taken in the catch.
17. When using a meshing or flathead net, any fish taken at any time that are to be released in the period starting one hour before sunrise and ending one hour after sunset are released using a discard chute that complies with discard chute guidelines in a manner that complies with the discard chute guidelines.
18. 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.
19. Conduct fishing operations in areas, at times, and in a manner that minimises the potential for any interaction with protected or threatened species, populations and ecological communities.
20. Report the location, time and date, in the appropriate logbook, of any interaction with, or sighting of, any marine protected or threatened species, populations and ecological communities or any interactions with threatened or protected sea birds.
21. Return any captured individual of a protected or threatened species, population or ecological community to the water with the least possible harm.



22. Suspend the fishing operation if a marine mammal or turtle is captured, and allow the release of the animal from the net with the least possible harm.
23. Notify the NSW Department of Primary Industries of major fish mortality events or disease outbreaks.
24. Deploy and retrieve gear in accordance with regulations.
25. Be familiar with and comply with any closures.
26. Ensure fishing operations are conducted with an acceptable level of safety for fishers and the public.
27. 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.
28. 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.
29. Seek voluntary agreements with other resource users with regard to priority setting or casting lines.
30. Recognise and abide by the priority rights among commercial fishers as set out in regulations or any other guideline approved by the Estuary General Management Advisory Committee (EGMAC).
31. Be courteous to other waterway users when exercising priority rights.
32. If necessary, produce my commercial fishing license and fishing business card, to ensure the required number of appropriately endorsed fishers for priority determination are present.
33. Unless otherwise authorised, abide by a limit of 30 km/hr on beaches, and a limit of 5 km/hr when passing within 10 metres of other beach users or flagged areas.
34. Operate flashing lights or hazard lights on the vehicle while travelling on ocean beaches.
35. When travelling or engaging in commercial fishing on ocean beaches, display a NSW Department of Primary Industries authorised information sign listing the Fishing Registration Number and Fishing Business Number.
36. Avoid driving vehicles on frontal sand dunes or other sensitive shoreline areas such as wetlands and mangroves and minimise, as far as practicable, any physical impact on the environment.
37. Keep hand held lights at water level so that they are not shone into residential areas.



38. Do not allow unauthorised persons to assist in fishing operations.
39. Minimise noise associated with fishing operations, especially between 10pm and 5am.
40. Respect the public amenity of boat ramps by avoiding cleaning fish and gear in their vicinity and ensuring that access for other users is not unduly restricted.
41. Be aware of any changes to the *NSW Estuary General 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.
42. Be aware of Indigenous culture in my area of operations, and respect the customs of the local Indigenous people.
43. 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; and
  - Any other relevant research programs.
44. Inform the relevant authority of any pollution incident or significant environmental impact.
45. Comply with the by-laws and regulations of relevant Councils and Government Departments, and any codes for fishers prepared by these organisations that are supported by the EGMAC.
46. Be courteous and cooperative with any public official or member of the community.