

**Marine and Estuarine Recreational Charter
Management Advisory Committee**

**Outcomes from 16th MERCMAC meeting
Cronulla Fisheries Centre, Tuesday 23 June 2009**

Attendance

Brian Beer (Chair), Peter Bolic (Region 1 – Far North Coast), Mark Flanagan (Region 2 – Mid North Coast), Jim Booth (Region 3 – Central Coast), Roland Persson (Region 4 – Sydney), Ann Garard (Region 5 - Illawarra), Sanchia Glaskin (Recreational Fishing), Attila Kaszo (Nature Conservation Council), Shirley Massey (Commercial Fishing) and Nick James (Departmental Nominee).

Observers

Bryan van der Walt and Alice Gleeson (DPI).

Apologies

John Stevens (Region 6 – Mid South Coast), Keith Appleby (Region 7 – Far South Coast), Vic Peddemors, Aldo Steffe (NSW DPI - presenters) and Peter Turnell (NSW DPI).

Absent

Peter Sayre (Region 4 – Sydney)

Confirmation of minutes from previous meeting

Motion: The Committee accept the outcomes as a true and accurate record of discussions from the 15th MERCMAC meeting, held 14 October 2008. **Moved:** Peter Bolic. **Seconded:** Jim Booth.

Carried.

Business arising from the minutes

▪ **Barotrauma research** – At the last meeting, the Committee expressed support for CFB operators to be involved in potential barotrauma-related studies. A DPI project application titled “Assessment of barotrauma and its mitigation measures on the behaviour and survival of offshore species in NSW” was not supported by the Recreational Fishing Saltwater Trust Expenditure Committee (RFSTEC) at their 29th meeting on 5-6 May 2009, due to the potential overlap with a current DPI program being undertaken by Dr Matt Broadhurst. RFSTEC requested that contributing funding be investigated from the Fisheries Research and Development Corporation (FRDC) for the program. The committee re-iterated support for this research and recommended that these issues be clarified, prior to submission of an amended application for further consideration by RFSTEC, ACoRF and MERCMAC.

▪ **Snapper size limit issues**

The committee was advised that the advisory council does not support a maximum size limit on snapper at this stage due to a lack of scientific information regarding release survival rates/barotrauma issues. The committee agreed this is another reason to support barotrauma research relating to offshore species. The committee was also informed that a letter has been sent from the Chair of ACoRF to the Minister requesting the increase to the size limit of snapper from 30cm to 32cm be implemented.

▪ **Safety Management System** - At the last meeting, the Committee was informed of the NSW DPI Safety Management System (SMS) being developed for all watercraft operations, involving the development of a risk management framework approved by NSW Maritime. The Committee had been advised by DPI Compliance that MERCMAC would most likely be the starting point for any consultation with charter fishing boat stakeholders.

Action item

Paul Schuetrumpf (compliance) to determine the current status of this issue and provide information for discussion at the next meeting.

Agenda items

1. Recreational Fisheries Management update

a) Cobia bag and size limits issues

On 20 May 2009, the Advisory Council on Recreational Fishing (ACoRF) recommended that a bag limit of 5 and minimum size limit, of either 65cm – same as kingfish size limit in NSW or 75cm – same as cobia size limit in QLD, be introduced immediately for cobia. As bag limits only apply to the recreational fishing sector, the proposed change does not affect commercial fishers. However, the introduction of a minimum size limit for cobia will require consultation with, and agreement from, the commercial fishing sector, particularly the Ocean Trap and Line Management Advisory Committee and Seafood Industry Advisory Council.

Motion: The committee supports the advisory council's recommendation to immediately take steps to reduce the bag limit for cobia to 5 in NSW and commence discussions regarding a minimum size limit with the commercial fishing sector. **Moved:** Jim Booth. **Seconded:** Peter Bolic. **Carried.**

It was confirmed that consultation with the commercial sector has been initiated regarding a minimum size limit for cobia and that the proposed amendment to the *Fisheries Management (General) Regulation 2002*, to reduce the bag limit for cobia from 20 to 5, has been progressed.

b) Gemfish – Conservation Dependent

Eastern gemfish have been placed in the 'Conservation Dependent' category on the Commonwealth threatened species list (effective 22nd January 2009). The listing will not prohibit the species from being caught in low levels as incidental catch, but fishing must be conducted in accordance with their rebuilding strategies developed by AFMA, including Total Allowable Catches. Further information, including AFMA's Eastern Gemfish Stock Rebuilding Strategy 2008, was distributed to members at the meeting.

Information noted. No recommendations or action items.

c) Electric reels/power winches

The issue of recreational and charter fishers using powered winches/reels was discussed in the last Review of NSW Recreational Freshwater and Saltwater Fishing Rules in 2005. The main issue is the use of electric reels and hydraulic winches on recreational/charters vessels in depths greater than 100 fathoms to target deepwater species (i.e. hapuka, bar cod, gemfish, bass groper and blue-eye). Concern has been expressed from commercial fishers that many recreational and charter boats are now using electric reels and hydraulic winches to line fish with multiple hook rigs in depths over 100 fathoms. This is not seen as a traditional method of fishing for recreational and charter boats and allows for increases in effort. There was also concern expressed previously by the Ocean Trap & Line MAC that the survival of fish lifted from these depths is extremely low and that the sustainability of these deepwater species may be threatened if the bag limits are not reduced and/or use of this fishing gear is allowed to continue and increase.

The Committee expressed support for the continued use of electric reels/power winches by recreational fishers and considers the issue to be a compliance matter, not a recreational fisheries management issue.

d) Charter Fishing Trust Fund Update

An update on the Charter Fishing Trust Fund budget and allocations for 2008/09-2010/11, as previously supported by MERCMAC, ACoRF and approved by the Minister, was provided. In summary, the Trust balance at the close of the 2008/09 financial year was \$307,988. The 2009/10 budget allocation is \$256,993 (budget of \$315,744 minus 2008/09 carryover of \$58,751) and estimated income from CFB licence fees and interest is \$188,000, which will result in a Trust balance of approximately \$238,995 at the end of the 2009/10 financial year.

The 2010/11 budget is \$243,766 and estimated income from CFB licence fees and interest is \$185,000, which will result in a Trust balance of approximately \$180,229 at the end of the 2010/11 financial year.

Information noted. No recommendations or action items.

e) Industry & Investment NSW

The Premier announced the creation of 13 new “Super” Departments on 11 June 2009 that will deliver a continued high level of service delivery to our clients across all industry sectors while providing a mechanism to ensure that operating costs are contained in the years ahead.

NSW DPI is now part of a new organisation known as Industry and Investment NSW (I&I NSW). Other existing agencies to join the new Department include:

- Department of State and Regional Development
- NSW Tourism
- Department of Water and Energy (Energy)
- Screen NSW (Film and Television Office)
- Rural Assistance Authority
- Mine Subsidence Board
- Coal Compensation Board
- Game Council
- NSW Food Authority

The joint focus of our new Department will be on benefiting the whole community by leveraging investment and supporting industry, innovation and economic development with one of the key focuses being to create jobs in NSW. The changes resulting from this amalgamation will predominantly be to administration areas and should not impact on the delivery of service. The NSW DPI Director-General, Richard Sheldrake, will be heading Industry & Investment NSW. As part of these reforms, the Fisheries Operations Branch is now known as the Fisheries Resource Management Branch.

Information noted. No recommendations or action items.

f) Torn Blue Fringe

A report (The Torn Blue Fringe: Marine Conservation in NSW) has been released by the National Parks Association (NPA) calling for greater protection of NSW coastal waters. It is part of an advocacy campaign entitled “Blue is the new Green”. The NPA is a non-government organisation that has identified three initial advocacy targets: Sydney Marine Park, Twofold Shelf Marine Park; and Grey Nurse Sanctuaries. At the 45th ACoRF meeting on 11 December 2008, the Council did not support the further introduction/expansion of marine parks without irrefutable scientific justification. RFSTEC and ACoRF recommended the allocation of Trust funds for scientific evaluation of the accuracy and relevance to recreational fishers of the NPA’s proposal. Professor Bob Kearney has completed the review, “Response to ACoRF on the Torn Blue Fringe: Marine Conservation in NSW (Winn 2008)” and it has been forwarded to Government for consideration

Information noted. No recommendations or action items.

g) Recreational Fishing Trusts Update

Saltwater and Freshwater Trust Expenditure Committee meetings were held in May 2009. The Expenditure Committees endorsed all major ongoing programs for 2009/10. Following a community Expression of Interest process, a large number of new project applications were reviewed. A variety of these new programs were supported, including infrastructure, recreational fishing education, and research on recreational fishing and fish species.

Information noted. No recommendations or action items.

h) Recreational fishing fee sales

DPI’s recreational fishing fee administration was integrated into the Government Licensing System in September 2008, which enabled the introduction of plastic fishing fee receipts/licences. There has been an increase in the sale of 3 year licences since the introduction of the plastic card and also a 20% migration of sales for long term licences (i.e. 1 and 3 year licences) from agents to electronic sales, due to the plastic card and renewal facility.

Information noted. No recommendations or action items.

h) Eastern Tuna and Billfish Fishery Management Advisory Committee – Striped Marlin

The committee was advised that DPI staff attended an Eastern Tuna and Billfish Fishery (ETBF) MAC meeting on 22 April 2009, as an observer. The issue of striped marlin being harvested by longliners during recreational fishing tournaments was discussed at length, where north coast commercial operators expressed their concern about the damage that a few south coast operators are doing to the fishery's reputation. DPI understands that a letter from the ETBF MAC will be sent to all commercial operators advising that if the Code of Conduct (not fishing whilst tournaments are underway) is not followed, the ETBF MAC will consider implementing formal closures. DPI is currently compiling a list of all offshore fishing competitions in NSW (GFA, ANSA, FCA and non-affiliated) to send to the ETBF MAC.

Information noted. No recommendations or action items.

i) Recreational fishing access

DPI advised that there are currently two dedicated Trust funded access managers; Alistair McBurnie (Freshwater – Albury) and Brooke McCarthy (Saltwater – Cronulla). These positions are responsible for reviewing, for example, new road closure applications, NPWS plans of management and land acquisitions that may influence recreational fishing access.

Information noted. No recommendations or action items.

2. Recreational Fishing Arrangements for Southern Bluefin Tuna

Southern bluefin tuna (SBT) is currently listed as an endangered species under the NSW Fisheries Management Act 1994. The previous Ministerial Interim Order, to enable the continuation of recreational fishing for SBT in NSW, has lapsed.

The preparation of an environmental assessment is required for a Ministerial Order to be considered, which may authorise some form of ongoing recreational access to the species. If an environmental assessment is not undertaken, it is envisaged the endangered species classification would be enforced for recreational fishers (i.e. an offence to harm or possess the species).

At its meeting on 20 May 2009, the Advisory Council on Recreational Fishing (ACoRF) did not support the concept of allocating Trust funding (\$20,000) for an environmental assessment (Species Impact Statement) of recreational fishing arrangements for SBT. The New South Wales Game Fishing Association has provided a submission regarding the status of Southern Bluefin Tuna and requested the Committee's consideration of the issues raised.

The Committee supports the use of recreational funding to gain scientific information on the stock status and biology of recreationally important species.

Motion: The Committee requests that ACoRF support the allocation of \$10,000 as part funding for a Species Impact Statement for Southern Bluefin Tuna and MERCMAC will allocate \$10,000 from the Charter Trust Fund. **Moved:** Jim Booth. **Seconded:** Sanchia Glaskin. **Carried.**

Action Item

MERCMAC to request ACoRF's consideration to allocate \$10,000 as part funding for a Species Impact Statement for Southern Bluefin Tuna.

Completed. Copy of letter from Chair of MERCMAC to be distributed at the next meeting.

3. Fisheries Enhancement Program Update

Marcus Gregson (Program Coordinator-FADs) provided an update on the 2008/09 FADs season, Estuarine Artificial Reefs (EARs) and the Offshore Artificial Reef (OARs) projects.

The deployment of the Merimbula Lake Artificial Reef will be completed by the end of May 2009. The progress of reef expansion plans for the Lake Macquarie, Botany Bay and St Georges Basin artificial reefs was also discussed. A brief description of the possibility of land based access to artificial reefs via the enhancement of estuarine breakwalls was provided. A detailed proposal of a possible breakwall trial in the Hastings River will be discussed with the Saltwater Trust Expenditure

Committee at their next meeting. The progress of the Offshore Artificial Reef Environmental Assessment was detailed, which is due to be completed by late 2009. Work has commenced on the construction and deployment tender.

Mr Gregson confirmed that a new FAD would be deployed off the Tweed coast commencing in the 2009/10 FAD season, as requested by local charter fishing boat operators.

Information noted. No recommendations or actions items.

4. Recreational Fishing Surveys in the Greater Sydney Region

An apology was received from Dr Aldo Steffe for not attending the meeting due to conflicting appointments. Dr Steffe has offered to present at a future meeting.

5. Compliance Update

Paul Schuettrumpf, Supervising Fisheries Officer - Metropolitan & Central Coast, provided an overview of recreational and charter fishing related compliance issues in NSW during 2008/09.

There are 208 currently active charter boat licenses in NSW. 117 charter boats were checked for compliance over the last 12 months. A compliance rate of 93% was observed, which is a 3% improvement from 2007/08. Three cautions and one pending infringement notice for failing to produce authority/licence have been executed to charter boat operators in NSW over the last 12 months.

The most common compliance issues associated with charter vessels are failure to carry licence onboard charter boats and logbook non-reporting by some operators. It was confirmed that all charter fishing boat operators must carry the CFB licence when conducting charter fishing activities. The Committee was also made aware of recent instances where fisheries officers have been abused, threatened and/or insulted. Mr Schuettrumpf expressed concern regarding this issue and emphasized that this is an offence and will not be tolerated.

The Committee requested further information on the Watercraft Safety Management System and ongoing compliance relating to unlicensed charter fishing activities.

6. Ecosystem-based Research

Dr Philip Gibbs, Principal Fisheries Scientist, NSW DPI, provided an overview of Ecosystem Based Fisheries Management (EBFM). EBFM is more than traditional stock assessment management, as it involves the use of ecosystem models that incorporate multiple elements influencing fisheries, such as ecological (environmental), economic and social factors. It is also a process that governs, directs, and controls human activities that interact with the marine environment, particularly fishing activities.

Ecosystem modeling is used for ecologically sustainable development of the regional marine and estuarine resources of NSW. Models can be used to support sustainability of the NSW coastal and shelf systems by running various scenarios (such as projections arising from climate change) and evaluating different types of management strategies.

Action item

Dr Gibbs to present an overview of research findings at the 18th MERCMAC meeting in 2010.

7. Fish Stocking in Marine Waters

Sarah Martin (Fisheries Manager - Marine Stocking) provided an overview of fish stocking activities in NSW. Around 110 million fish have been stocked into NSW waters since 1960, mostly as part of the large and intensive freshwater stocking programs. Stocking of marine species started on a conservation and research basis in 1994. Further marine stockings (i.e. beyond the current research prawn and mullet programs) require an Environmental Impact Statement (EIS) in

accordance with the comprehensive requirements of the NSW *Environment Planning and Assessment Act 1979* and the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.

The Recreational Fishing Saltwater Trust has supported funding for an EIS and Fisheries Management Strategy (FMS) to be undertaken to address the activity of marine fish stocking in NSW. This follows the Recreational Fishing Saltwater Trusts funding of pilot research programs for eastern king prawn and mulloway, both of which have shown that the stocking of marine waters is a viable option to improve fishing opportunities within the area targeted. The current program aims to expand on the initial research and cover all coastal waters of NSW in its assessment process.

Potential species to be stocked have been identified by the Advisory Council on Recreational Fishing and NSW DPI. It is proposed to include these species in the EIS and FMS. The species currently proposed for consideration under the EIS are: mulloway, eastern king prawn, school prawn, mud crab, blue swimmer crab, dusky flathead, yellowfin bream, black bream and sand whiting.

The completed EIS and FMS will also act as a mechanism to allow consideration of other potential species to be stocked in the future. The Committee expressed support for snapper and kingfish to be considered as priorities for stocking in the future, as the majority of species currently being considered will not provide benefits for offshore charter operators. It was confirmed that the initial focus is predominantly on estuarine species due to the high number of anglers that would benefit.

Action item

The department to provide an update on the marine stocking EIS and FMS process at the 18th MERCMAC meeting in 2010.

8. Gamefish Tagging Program Update

Phil Bolton provided an overview of the NSW DPI Game fish Tagging Program of Australia. This program is the largest saltwater tagging program of its kind in the world and has been in operation since 1973. It is used to obtain information on the biology (distribution, movement, growth, exploitation) of billfish, tunas, sharks and sport fish and encourages game fishers to participate in the management of the fishery.

Since the program commenced, over 300,000 tag cards have been returned and over 6,000 fish recaptured. Of the 60 species recognised by the Game Fishing Association of Australia (GFAA), it has been found that 10 species of fish tagged by the NSW DPI game fish tagging program account for 70% of all fish tagged. These species include: black marlin, yellowfin tuna, yellowtail kingfish, sailfish, dolphinfish (mahi mahi), mackerel tuna, striped marlin, striped tuna, albacore and bonito.

The department continues to encourage NSW charter fishing boat operators to increase their participation in this program.

Information noted. No recommendations or actions items.

9. Regional CFB/other sector issues/updates

Charter Fishing Monitoring Program - Logbooks

Recent scientific assessment of the data obtained through the charter fishing monitoring logbook program revealed inconsistencies with some of the fish length data. Even after extensive "cleaning" of the length data, there are trends which are inconsistent with other representative samples of fish lengths available to the Department (e.g. the mean size of snapper is unlikely to have increased from 32.8 cm to 37.6 cm in the past 9 years). A possible reason for this discrepancy, aside from misreporting, is that some charter operators enforce a higher minimum size limit than the required legal limit on board their vessel (e.g. snapper legal minimum size limit is 30cm, however, some operators do not allow snapper under 33cm to be retained).

Motion: The Committee recommends that the requirement for charter operators to record fish lengths on logsheets be reviewed by Recreational Fisheries Management and Science & Research. **Moved:** Roland Persson. **Seconded:** Jim Booth. **Carried**

Action item

Send letter to notify charter boat licence holders of the current inconsistencies with the fish length data and seek input from operators as to possible reasons why and also a greater effort from operators to record accurate fish length information.

Pending further review of logbook program.

Gemfish

The ongoing issue of the current gemfish boat limit (10 per boat) was raised by Ann Garard (MERCAMC Region 5 - Illawarra). Following ACoRF's support for the removal of this boat limit at the meeting on 5 June 2008, MERCAMC sent a letter to the Minister requesting that the boat limit of 10 gemfish be removed for licensed charter fishing boats, whilst retaining the recreational bag limit of 2 per person per day.

A response from the Minister was received by the MERCAMC Chair on 20 November 2008, which included the following information: *The NSW Fisheries Scientific Committee's final determination regarding the status of gemfish stocks was based on the retention of current management arrangements, which includes the recreational boat limit of 10 gemfish per day.*

Considering the MERCAMC's and the Advisory Council on Recreational Fishing's support for the removal of this boat limit, I have instructed NSW Department of Primary Industries' Recreational Fisheries Branch to include the gemfish boat limit issue in the consultation process of the next review of recreational fishing rules, which is planned to be undertaken in 2010/11.

Mahi Mahi (Dolphinfish)

South coast operators have requested that the minimum size limit of 60cm be abolished. Most operators are content with maintaining the bag limit of 10. There have been concerns that the handling required to measure and release undersized fish is difficult and often very damaging to the fish.

Action item

Include this issue in the 2010/11 review of recreational fishing rules.

East Marine Bioregional Plan Workshop

The Workshop held on the 18-19 June 2009 provided stakeholders with the opportunity to have input into the Commonwealth plans for Marine Protected Areas. Ann Garard suggested that industry members visit the website to see what areas are going to be further assessed for their conservation values, at: <http://www.environment.gov.au/coasts/index.html>

Wollongong Harbour Redevelopment

Ann Garard (MERCAMC representative for Region 5 – Illawarra) provided information on the Wollongong Harbour redevelopment. Wollongong based operators were presented with individual lease documents to review and sign in order to maintain their operations within the Harbour. The new leases involved a 400% increase in costs over the next 3 years and major restrictions on activities permitted within the Harbour. Operators formed their own Harbour Association to negotiate with the Department of Lands. Re-development is still pending, but relocation of charter and commercial vessels to Port Kembla is not an option, according to the Harbour Master. DPI's saltwater access manager is assisting with this process.

NSW DPI Website

Ann Garard (MERCAMC representative for Region 5 – Illawarra) requested that the NSW Charter Fishing information on the DPI website be updated and moved to a more prominent location. Mrs Garard also requested that laminated Charter Fishing information posters be distributed to places where people are likely to see them before going fishing (such as tackle shops, service stations, marinas etc).

10. Structural Adjustment and Alternate Management Frameworks for NSW Commercial Fisheries

Deferred – Doug Ferrell will present this issue at the next meeting.

11. Out of Session items

Nil.

12. Correspondence received

- NSW Maritime Media Release – Apply now for \$5m in Better Boating grants – was distributed to members, who were encouraged to consider projects that may be eligible for grant funding.

13. Other business

MERCMAC Elections

Members were reminded that nominations for upcoming MERCMAC positions close on Friday 3 July 2009.

5th World Recreational Fishing Conference

Ann Garard attended the conference in Florida, USA in November 2008, as the NSW Recreational Fishing Advisory Council & Committee representative. The committee was provided with an overview of the trip, including major fisheries management issues that may be applied in NSW.

Shark Research Program Information

An apology was received from Dr Vic Peddemors, Scientific Officer - Shark Biology & Assessment, for not attending the meeting due to conflicting appointments. Information on NSW DPI Shark Research was included in the Agenda. Dr Peddemors will present at the next meeting.

Next Meeting

Meeting 17 is scheduled for Tuesday 20 October 2009.

ACTION ITEMS

16th MERMAC Meeting – 23 June 2009

Agenda Item	Action	Team responsible	Status/ Due date	Comments
2. Recreational Fishing arrangements for Southern Bluefin Tuna	Chair of MERCMAC to write to ACoRF Chair requesting that ACoRF contribute \$10,000 for the Species Impact Statement for Southern Bluefin Tuna. MERCMAC will fund the remaining \$10,000.	Recreational Management	Completed	
3. Compliance Update	The Committee requests a compliance update on the unlicensed charter operator from Bermagui at the next meeting	Paul Schuetrumph, DPI Compliance	Pending.	
5. Ecosystem-based Research	The Committee requests that Dr Phil Gibbs presents further research findings at the 18 th MERCMAC meeting in 2010.		Pending meeting 18	
6. Fish stocking in marine waters	Recreational Management to request Sarah Martin's attendance at the 18 th MERCMAC meeting in 2010.		Pending meeting 18	
9. Regional CFB/other sector issues/updates	Letter to be sent to all charter operators notifying them that they are no longer required to record fish lengths on their charter boat logsheets	Recreational Management		This issue is still under consideration. Science and Research require length data to be collected.
9. Regional CFB/other sector issues/updates	NSW DPI to provide a detailed presentation on the Charter Fishing Monitoring program.	Recreational Management	Pending	