

Agenda Item	Outcome
Welcome and Apologies	<p>The Chairperson opened the meeting and welcomed all members and observers to the meeting. The Chair welcomed Mr George Davey, Deputy Director General, Fisheries Compliance and Regional Relations and thanked him for his attendance.</p> <p><b>Attendance:</b>  <b>Chairperson:</b>  Brian Beer</p> <p><b>Management Advisory Committee Representatives:</b>  Mr Don Johnson  Ms Suzane Hamilton  Mr Rolf Norington  Mr Malcolm Poole  Ms Anissa Lawrence  Ms Fiona Hill</p> <p><b>Observers:</b>  Mr George Davey  Mr Kristain Holz  Mr Peter Turnell  Mr Hans Heipern  Mr Graeme Byrnes  Mr Jim Drinkwater  Mr Graham Turk  Mr Doug Ferrell  Mr Darryl Sullings  Mr Darren Reynolds  Ms Carly Goddard  Mr Warren Winter</p>

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	<p>Dr Steve Montgomery Mr Geoff Rose Ms Mary Howard Mr Garry Howard Mr David Laughton</p> <p><b>Meeting commenced: 10:10AM</b></p> <p>Note: The Hunter River representative's deputy for day 2 was Mr Jim Drinkwater.</p>
Agreement on agenda	Agenda agreed.
Confirmation of draft minutes	<p>Outcomes from previous meeting approved.</p> <p><b>Action</b> – DPI to replace the draft outcomes on the DPI website with the final outcomes.</p>
Correspondence sent and received	<p>Correspondence received and sent was noted.</p> <p><b>Action</b> – DPI to follow up on the development of a strategy that identifies key water quality parameters and establishes mechanisms to maintain and provide environmental conditions for sustainable fisheries production.</p>
Business arising from previous minutes	<p>List of actions noted and updated.</p> <p>Industry expressed concern over the methodology used for establishing product valuation in the Estuary Prawn Trawl Fishery (EPTF).</p> <p>DPI advised the committee that for the majority of fisheries figures currently are sourced from Sydney Fish Markets. DPI advised industry that if given other Co-op prawn prices they would try and incorporate location specific pricing into publications.</p> <p><b>Action</b> – Industry members to provide NSW DPI with their local co-op prawn prices.</p> <p><b>Action</b> – SIAC member to raise the issue of appropriate valuation methodologies for NSW commercial fisheries to allow comparison across primary industries</p>

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Updates	<p>The Committee noted the updates provided from DPI Management, Research and Compliance.</p> <p>DPI provided an update on the Share Appeals Process and acknowledged the delay in finalising the process.</p> <p>The Committee noted that DPI Aquatic Biosecurity is working with the fishing industry, other federal, state and territory agencies and the wider community to help prevent the invasion of marine pests in NSW. Committee members were provided with marine pest information cards.</p> <p><b>Action</b> – DPI to provide the Committee members with a link to the SMP’s and Regulations for the EPTF.</p> <p>The DPI Compliance representative advised the Committee that he would endeavour to provide Hunter region publications i.e. The Examiner &amp; Newcastle Herald, with media releases to advise recreational fishers of the Hunter River recreational prawning closure.</p> <p>Industry noted and commended a good compliance rate.</p> <p><b>Action</b> - DPI to provide the committee with the breakdown of offences recorded as ‘non – comply’ within the graphs.</p> <p>DPI Research provided an update on the outcomes of the FRDC research project on the growth and mortality of school prawns. The objectives of the research are to estimate values for parameters describing growth of school prawns and estimate values for instantaneous fishing mortality for school prawns. Preliminary results were presented and the final report is expected to be submitted to FRDC in June 09.</p> <p>The Committee also noted an update on research currently being undertaken in the lower reaches of the Hawkesbury River regarding codend selectivity.</p> <p>The Hawkesbury River representative advised that the Hawkesbury River research permits are expiring soon and requested that they continue for another 12 months.</p>
Structural Adjustment and future direction for the EPT Fishery	<p>The following package of reforms, developed by SIAC and its working group in consultation with DPI, was presented as a way of enhancing the long-term sustainability and viability of commercial fisheries.</p> <ol style="list-style-type: none"> <li>1. Create a suite of tools to provide for tradeable input and output controls</li> </ol>

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	<ol style="list-style-type: none"> <li>2. Provide for initial restructuring with minimum shareholdings and exit grants</li> <li>3. Comprehensive review of regulatory requirements and streamlining DPI administrative systems</li> <li>4. Review cost recovery</li> <li>5. Comprehensive review of fishing closures</li> <li>6. Move focus toward risk-based resource management</li> <li>7. Initiate an industry development program</li> <li>8. Enhanced industry voice to government</li> </ol> <p>The Committee acknowledged DPI's commitment to work with industry on structural reform and gave in principle support for the reform package.</p> <p>Industry members strongly supported presenting this reform package to the broader industry through a road show.</p> <p><b>Action</b> – DPI to provide a summary of the structural adjustment presentation.</p> <p><b>Action</b> – Industry members to discuss the package for reform within their regions and provide comment as soon as possible.</p>
Catch record reform project	<p>DPI provided an update on the progress of the Catch Record Reform Project. The Committee was advised that the new catch reporting system is due to commence in July 2009.</p> <p>Industry members raised concerns with the requirement to record total hours trawled, stating they did not believe it would be accurately filled out.</p> <p>In response to questions DPI advised that there was no longer an option to report 'mixed' species and that it was target and by-product (retained fish) not bycatch (discarded fish) that should be recorded on the new logsheets.</p>
License splitting policy	<p>The Committee noted DPI's risk assessment with respect to the potential effort increase from dual operators who have surrendered external fishing authorities under the Federal Government's <i>Securing Our Fishing Future</i> business</p>

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	exit scheme.
Regulatory Reform	<p>The Committee noted DPI's proposed amendments to the Estuary Prawn Trawl Share Management Plan including moving fishing closures currently notified under section 8 of the <i>Fisheries Management Act 1994</i> into the Plan.</p> <p>Some specific proposals were discussed;</p> <ol style="list-style-type: none"> <li>1) Modifications to the registration requirements for nets <ul style="list-style-type: none"> <li>• The Committee noted that this does not apply to the EPT fishery as prawn nets do not require net registrations.</li> </ul> </li> <li>2) Carriage of stowed commercial fishing gear through closed waters <ul style="list-style-type: none"> <li>• <b>Action</b> – DPI to provide the Committee the opportunity to comment on any proposed definition of 'stowed' fishing gear prior to the regulation being gazetted.</li> </ul> </li> <li>3) Re-instituting the 15 working day flexible opening and closing arrangements for the Clarence River EPT Fishery <ul style="list-style-type: none"> <li>• Amendment supported.</li> </ul> </li> </ol>
Code of Practice	<p>The Committee noted the need for minor amendments to be made to the Estuary Prawn Trawl Code of Practice to reflect changes in the legislative framework governing the fishery.</p> <p>Industry raised concern regarding some of the content and amendments were discussed.</p> <p>DPI Compliance advised that commercial fishers can scale, gill and gut fish with a legal size on the water, but heads have to remain.</p>

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Species Recovery Planning Process	<p>The Committee noted the species recovery planning process and raised concerns regarding the use of the term 'growth overfished'. The Committee expressed concern regarding public perception created by terminology such as 'growth overfished' when the harvest strategy may have no impact on the sustainability of the species.</p> <p><b>Action</b> – DPI Research to present to the Resource Assessment Review Committee the MAC's request to use alternate terminology for term 'growth overfished'.</p>
Hunter River Season	<p>Hunter River deputy representative advised the Committee of a proposal for increasing the Hunter River trawl season and operating hours.</p> <p>The Committee supported amending the Hunter River season to include a flexible 15 working day <i>opening</i> arrangement similar to the arrangement for the Clarence River.</p> <p>The Recreational fishing representative raised concerns with the recommendation, regarding the potential increase in effort and inconsistency with the FMS. It was also noted that the recreational closure has been recently amended to line up with the opening and closing dates for the Hunter River as specified in the EPT SMP. It was acknowledged by the committee that at the time the FMS was developed, the Hunter River fishing season was provided for under a Section 8 closure, which was due for review at the end of the 2008/09 season.</p> <p>It was agreed that further consultation with other sectors will need to take place.</p> <p><b>Action</b> – DPI to consult when finalising specifications regarding this recommendation.</p>
Prawn Counts & Incidental Catch Ratios	<p>The Committee noted the section 8 fishing prawn count closures with respect to the Clarence, Hunter and Hawkesbury Rivers and their upcoming expiry dates.</p> <p>The Committee noted DPI's process and the Committee agreed that the Hawkesbury and Hunter River closures could be discussed at a future meeting.</p> <p>The Clarence River industry representative agreed to discuss consistent arrangements for the Clarence River, including an ungraded prawn count of 180 prawns per half kilogram, with the Clarence River Professional Fisherman's association and local fishers.</p>

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	<p><b>Action</b> – Clarence River representative to consult local fishers regarding the proposed amendment to the ungraded prawn count and provide advice to DPI as soon as possible.</p>
Other business	<p>A number of the issues raised by the Committee for discussion in other business were addressed in previous agenda items.</p> <p>Industry members expressed a desire to discuss amendments to the share management plan allowing fishers to retain legal size fish as byproduct, at a future meeting. The committee was advised that all current primary and key-secondary species which can be retained have been addressed under the EIS. Industry noted previous decisions regarding additional by-product species. The meeting noted that species may be reviewed in the future.</p> <p><b>Action</b> – DPI to contact Conservation Managers in relation to who has the contract to dredge Palmers Channel; entrance to Lake Wooloweyah.</p> <p>DPI advised the committee that it is understood that staff are able to observe fishing operations on board commercial vessels, at the discretion of the skipper, as long as the vessel has been surveyed and it is safe to do so.</p>
Chairperson summary and next meeting date	<p>The Chairperson thanked all members and observers for their attendance and contributions to discussions during the meeting and advised that the date for the next meeting would be determined out of session.</p>



## 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. Do not use 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. Minimise noise associated with fishing operations, especially between 10pm and 5am.
25. 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.



- 26.** 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.
- 27.** Be aware of Indigenous culture in my area of operations, and respect the customs of the local Indigenous people.
- 28.** 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
- 29.** Inform the relevant authority of any pollution incident or significant environmental impact.
- 30.** 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.
- 31.** Be courteous and cooperative with any public official or member of the community.
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- 33.** Be courteous and cooperative with any public official or member of the community.