



**Commercial Fishing NSW Advisory Council  
(CommFish NSW AC)  
Meeting 21, 22 October 2021  
Via Teleconference**

**Minutes**

Members present	Stuart Richey AM	Chair
	Craig Shephard	Sea Urchin & Turban Shell Fishery
	Greg Finn	Ministerial Fisheries Advisory Council
	Geoff Blackburn	Estuary General Fishery
	John Jarvis	Southern Fish Trawl Fishery
	Mark Cranstone	Lobster Fishery
	Mitchell Sanders	Ocean Trap & Line Fishery
	Patrick Richardson	Ocean Hauling Fishery
	Raymond Saunders	Aboriginal Commercial Fishers
	Stephen Bunney	Abalone Fishery
	Steve Everson	Estuary Prawn Trawl Fishery
	Steve Hounsell	Inland Fishery
Executive Officer	Cherie Kirkman	
Invited staff	<ul style="list-style-type: none"> <li>• Darren Reynolds, Program Leader, Fisheries Innovation and Development.</li> <li>• Nicholas Giles, A/Senior Fisheries Manager, Commercial Fisheries.</li> <li>• Sarah Fairfull, Director, Aboriginal Fishing and Marine and Coastal Environments.</li> <li>• Sean Sloan, Deputy Director General, Fisheries.</li> <li>• Simon Clark, Program Leader, Commercial Fisheries.</li> </ul>	
Apologies	<ul style="list-style-type: none"> <li>• Peter Turnell - Director, Fisheries and Aquaculture Management</li> <li>• Simon Vincent - Director, Strategy and Program Delivery</li> <li>• Darren Ward – Ocean Trawl Fishery</li> </ul>	

**22 October 2021**

**1. Member Welcome, Introductions and Housekeeping**

**NOTED:**

- Chair opened the meeting at 9:10am and welcomed Council members and NSW DPI staff.
- The Aboriginal member acknowledged the traditional owners of the land, past, present and emerging.

**2. Review of Agenda**

**NOTED:**

Council accepted the agenda.

**3. Review, Declarations and update Register of Interests**

**NOTED:** Members have reviewed their pecuniary interest register information prior to the meeting and have provided instructions to the EO for updating and circulation.

**ACTION: This is an ongoing action - EO to update pecuniary register and circulate.**

#### **4. Confirmation of Minutes from Meeting 20**

**NOTED:**

Minutes from meeting 20 accepted without change, as a true and accurate record of the meeting.

#### **5. Current actions arising from Meeting 20**

**NOTED:**

- The following actions have been completed 20.1 and 20.3.
- All other actions are in progress.

#### **6. Correspondence received**

**NOTED:**

- Several correspondences were deemed operational by the Chair and were forward onto DPI for actioning.
  - Three were received regarding Dillies.
  - Two on BEP proposals from same Fisher.
  - The use of set pocket net in the Manning (BEP proposal).
- The correspondence in relation to the operation of CommFish was discussed with the recommendation that the Chair provide a written response.

**ACTION 21.1:**

**Chair to provide a written response to the correspondence in relation to the operation of CommFish.**

#### **7. Draft Lobster Harvest Strategy**

A presentation was provided by NSW DPI on the draft Lobster Harvest Strategy.

**NOTED:**

- The draft Lobster Harvest Strategy was developed by the Lobster Harvest Strategy Working Group (LWG).
- The LWG seeks CommFish support to advise the Minister to support the progress of the harvest strategy to the public consultation phase.
- The Lobster resource has recovered from its stock status of highly depleted in the early to mid-nineties. The management changes, including the introduction of a TAC setting, rules and bag limits resulted in the stock returning to a sustainable classification.
- The Commfish member on the LWG supported the draft Lobster Harvest Strategy.
- It was noted that cumulative accurate data from all sectors that access the lobster resource would improve the management of the Lobster resource.

**AGREE:** CommFish supported:

- The release of the NSW Lobster Harvest Strategy for public consultation.

**ACTION 21.2:**

- 1. NSW DPI to release the draft NSW Lobster Harvest Strategy for public consultation.**
- 2. NSW DPI to provide CommFish with a summary of the public feedback and the final draft harvest strategy for review.**

#### **8. Mud crab tagging**

**NOTED:**

- Their illegal harvest and sale of mud crabs poses a significant risk to confident TAC setting and management of the mud crab resource.
- Tagging is an economical solution that will make it more difficult to illegally sell mud crabs.

- Trials resulted in a commercial preference for a tag that is secured around the body of the crab.
- There was positive feedback from the commercial fishers that trialled the tags.
- The estimated cost of the tag program will be approximately \$80K per fishing period for at least three years, if implemented.
- NSW DPI has secured the Intellectual Property rights for the tag which creates potential to offset the costs with income generated through the commercialisation of the tag into other jurisdictions.
- It was noted a QR code can be placed on the tag to value add to the fishery by providing additional information about mud crab fishery.
- Tagging will increase confidence in the TAC process.
- Implementation of the tagging program will require changes in the management framework.

**AGREE:** CommFish supported:

- To proceed with targeted consultation on to implement the mud crab tagging program for Estuary General fishery endorsement holders, which will include management frameworks.
- Should the tagging program be supported, then it is recommended that NSW DPI seek approval for the funding of approximately \$80k per fishing period for at least three years through the Commercial Fishing Trust Fund.
- NSW DPI considering the potential future income from commercialisation to go back into the Commercial Fishing Trust fund.

**ACTION 21.3:**

- 1. NSW DPI to proceed with public consultation on the implementation of a mud crab tagging program and to seek feedback on a tagging management framework.**
- 2. If after public consultation it is viewed that tagging is to be implemented, NSW DPI is to seek approval for funding from the Commercial Fishing Trust fund.**
- 3. NSW DPI is to consider any potential future income going back into the Commercial Fishing Trust fund.**

## **9. DPI Fisheries (Marine Parks)**

**NOTED:**

- The two-stage approach being undertaken through the marine park's review. The first step is the development of the draft management rules for the Mainland Marine Park Network.
- Public consultation for the NSW Draft Management Plan for the NSW Mainland Marine Park Network is imminent.
- The Marine Estate Management Strategy – funding bid for the next five years (2023-2028).
- A summary of programs that have been implemented to improve water quality and aquatic habitats along the NSW coast was also provided.

**AGREE:** CommFish noted;

- The NSW Draft Management Plan for the NSW Mainland Marine Park Network going out to public consultation.
- The continuation of funding is strongly supported by CommFish for the delivery of the strategy.

## 10. Update from the Deputy Director General (DDG), Fisheries

### **NOTED:**

#### **Marine Park Strategy**

The risk and threat assessment that has been completed for the Marine Park Strategy, which will guide the process. Noted both recreational and commercial fishing are low on the list of threats to the marine estate.

#### **Harvest Strategies**

The Harvest Strategy policy and guidelines will be announced this week; the documents are now available publicly.

The next harvest strategy working groups will be for the Abalone fishery and key species for Line East and Line West fisheries.

#### **Vessel Monitoring Systems**

Provided an update on the Commonwealth's proposal to mandate Vessel Monitoring Systems (VMS) in Australian Marine parks. Current grant scheme to support vessels that travels or operate in a Commonwealth Marine Park.

#### **National Fisheries Plan**

The Commonwealth have drafted a National Fisheries Plan which has been released of broad national public consultation.

#### **World Fisheries Congress**

The World Fisheries Congress was held virtually, with Adelaide as the base.

#### **Digital Restart Funding Project**

NSW DPI is attempting to secure funding for the larger part of the Digital Restart Funding Project.

#### **Regulation reform**

The first batch of the regulation reform has been approved and gazetted. The first batch mostly were minor amendments related to aquaculture, recreational and aboriginal fishing.

#### **Public consultation recreational bag limits**

Public consultation is imminent on proposed changes to the recreational fishing rules for Dusky flathead and Lobster. RFNSW are also working on several other recreational fishing proposals in preparation for public consultation soon.

#### **Eat More Seafood grants**

DPI is currently informing successful applicants that made application under the "Eat More Seafood" grants program that was funded under the Marine Estate Strategy funding. These grants are designed to get the community behind the NSW seafood industry. The future of the "Eat More Seafood" grant program will depend on ongoing funding.

#### **Peak Body**

The independent facilitator has been supported to progress discussion with the states two key representative groups. It was pointed out that a peak bodies role will be different to CommFish, which is an expert advisory council to the Minister.

#### **Recent media**

The DDG noted the recent media stories in relation to managing the difference between illegal fishing of abalone and cultural access to the resource. NSW Fisheries support and respect cultural fishing. There is an important balance required to protect the resource and make sure all sectors are operating under a sustainable framework.

#### **The Animal Welfare Reform**

The Animal Welfare Reform discussion paper continues to be a work in progress.

#### **Woolworths and Coles**

Letters have been sent to the CEO's of Woolworths and Coles outlining in detail NSW fisheries management requirements, in support of them to be confident the NSW seafood supply is

sustainable. Members were also encouraged to let NSW DPI know if they hear of any other point of sale concerns on the sustainability of the NSW seafood.

### Several questions were asked of the DDG:

As the BEP program proceeds it will be important that the appropriate processes are followed to ensure a consistent and transparent process. It is understood that industry is looking for improvements given the adjustment program.

It was noted the transition of the Southern Fish Trawl fishery to the Commonwealth is unresolved.

## **11. Business Efficiency Program**

### **NOTED:**

- CommFish continued their review and recommendations on the paper "Various proposals and Fisheries" from meeting 20. A detailed summary and list of recommendations are provided in Appendix B.

## **12. General Business**

### **12.1. NSW Trawl Whiting Harvest Strategy**

#### **NOTED:**

- The NSW Trawl Whiting Harvest Strategy is currently out for public consultation, which closes at the end of this month.
- In order to progress the implementation of the harvest strategy, the committee discussed reviewing the public feedback and any amendments to the harvest strategy out of session.

#### **AGREE:**

- CommFish members will discuss the public consultation feedback with the CommFish member on the Trawl Whiting Harvest Strategy working group (Ocean Trawl Fishery member) taking the lead to provide any clarification prior to CommFish providing further advice to the Minister out of session.
- If the feedback and changes are significant, CommFish may be required to meet to discuss any proposed advice.

#### **ACTION 21.4:**

**1. NSW DPI to provide CommFish with a summary of public feedback and the final draft of NSW Trawl Whiting Harvest Strategy out of session.**

**2. CommFish to provide NSW DPI with their recommendation on the NSW Trawl Whiting Harvest Strategy out of session.**

### **12.2. Vessel Monitoring Systems (VMS)**

#### **NOTED:**

- The Commonwealth:
  - Are proposing to mandate all vessels fishing within and/or traversing a Commonwealth marine park will be required to have a vessel monitoring system (VMS) by 2024.
  - Have released a grant to assist fisheries jurisdictions with the implementation of VMS on vessels that meet the criteria.
  - There is a very short time frame to make application.

- The grant is only available to fishery management agencies to apply.
- It is proposed the Commonwealth will consult with industry mid 2022 on the change to the marine park's rules requiring VMS.

**AGREE:**

- Funding has been established to support the NSW fishing industry to purchase and install VMS systems.
- A benefit of VMS is that it notifies owners and skippers when they are fishing close to a marine park boundary. It can also notify you when you've entered a marine park. This is beneficial if you have a skipper on board, as it is a safeguard to prevent them entering a marine park accidentally.
- Vessel position systems can also provide evidence to protect commercial vessels from being incriminated in illegal activity.
- VMS is a proven piece of equipment.
- DPI will consider the various option available as technologies are always improving, and there may be opportunity to expand the use of the system from a compliance tool, to one that collects useful resource management data.
- For NSW DPI to apply for the grant.

**ACTION 21.5: NSW DPI to make a grant application to the Commonwealth and provide CommFish with an update on its progress.**

**12.3. Estuary General member (Action 20.4 from previous meeting) - Succession planning and Superannuation Family trust funds purchase of shares.**

**NOTED: Succession Planning.**

- A proposal to implement a succession planning process was discussed. The purpose of the plan would be to expose potential future candidates to the operations of the advisory council.
- It was noted that the appointment process and budget (payment, insurance, administration changes, cabinet approval etc.) makes it difficult to support candidates to sit at the table.
- It was agreed there are benefits in providing insight into the roles and responsibilities of being a CommFish member prior to applying or accepting a position.
- It was suggested an alternative process would be to provide potential candidates with a training and induction program.
- It was also recommended an induction kit be developed for new appointees to CommFish, which includes a summary of current topics being considered by the committee.

**ACTION 21.6: The EO is to investigate training opportunities available within DPI to table at the next meeting.**

**NOTED: Superannuation Family trust funds purchase of shares.**

- An item tabled by a member raised a question regarding trust funds holding shares in the NSW Fishing industry. The matter was discussed, and it was recommended that they seek professional accountant advise. To ensure that this is achieved legally under the law and that the scope of ownership be achieved within existing Australian tax laws.

## 12.4. Illegal fishing

### **NOTED:**

- It was raised, through an example of a recent case of illegal fishing, that the fines and consequences are too low to be a deterrent.
- It was noted the penalty demerit system and definition of a fit and proper person have not progressed to date.
- It was suggested it would be worth discussing the fine and prosecution process with the Director, Fisheries Compliance at a future meeting.
- It was notes that the Recreational Sector is also concerned about the impact of illegal activity on the resource.

**ACTION 21.7: Invite the Director, Fisheries Compliance to the next CommFish meeting that is face to face.**

## 12.5. Mulloway Harvest Strategy Working Group (MHSWG)

### **NOTED:**

- The committee discussed why a CommFish member was not appointed to the MHSWG.
- The Terms of Reference (ToR) for the MHSWG was distributed to the committee on 21 April 2021 requesting comments. The Chair was not provided with any feedback. NSW DPI subsequently called for expression of interest. The TOR did not include an automatic appointment for a CommFish or RFNSW member.
- It was advised that the MHSWG is different to the other working group as it is a subcommittee of both CommFish and RFNSW. Consistent with the TOR, neither Council had a representative appointed automatically.

### **AGREED:**

- To ensure future consistency in process, it was recommended that any working groups that considers resources accessed by the commercial sector should include a membership position for a CommFish member in the TOR of the working group.
- The draft Mulloway Harvest Strategy will be released for public consultation and be tabled at a future CommFish meeting for advice.

**ACTION 21.8: Members ensure future harvest strategy working group's TOR provide for at least one membership position from CommFish.**

## 1. Next meeting

Next meeting date to be advised.

## Meeting closed

22 October 2021, 1pm.

## Appendix A – Current Actions & Recommendations List for Meeting 21

### Actions

No.	Action	Whom	Comments	Status
8.9	Council members recommend that NSW DPI: 1. Investigate the potential of automatic disqualification for certain high-level offences such as trafficking fish. 2. Provide further information on the topic of automatic disqualification for Council members review at a future meeting.	NSW DPI	<b>Meeting 10:</b> Chair advised no change on timeline on this action. <b>Meeting 11:</b> Pending Red Tape reduction	In Progress
8.17	<b>Meeting 10: Action has been amended to:</b> 1. NSW DPI to work through on-ground examples with a working group comprised of fishers and members to gain a solution. 2. NSW DPI to approve record of possession form and distribute to fishers for use.	Council NSW DPI	<b>Meeting 10:</b> Chair advised that this action is back on the agenda for today. Action 8.17 to be updated <b>Meeting 11:</b> Working with compliance	In Progress
8.19	Council members request that a NSW DPI recreational fishing manager attend a future Council meeting to provide a briefing on the recreational EIS development.	NSW DPI	<b>Meeting 10:</b> Chair advised – NSW DPI Recreational Fishing advised currently in “project planning stage” and to revisit request to attend in May/June 2019. <b>Meeting 11:</b> To arrange for meeting 12 <b>Meeting 12:</b> Waiting for travel restrictions to be relaxed	In Progress
14.2	NSW DPI to consult with industry on Prawn ballots that do not involve re-visiting share linkage.	NSW DPI		In Progress
14.6	NSW DPI to: 2. Revisit the Fishing business transfer rules at a later date	NSW DPI	<b>Meeting 18:</b> 1. Completed, 2 In progress	2. In Progress
15.2	NSW DPI: 3. Provide CommFish NSW with a balance of the Commercial Fishing Trust Fund.	NSW DPI	<b>Meeting 18:</b> 1&2 Completed, 3 in progress <b>Meeting 21:</b> NSW DPI advised the Commercial Fishing Trust Fund was approximately 11.2Million, this snapshot was taken on the 30 September 2021.	Completed
17.4	Item 6.10: (Refer to appendix B) NSW DPI to investigate further and consider amending the regulations.	NSW DPI		In progress



No.	Action	Whom	Comments	Status
17.5	Item 6.15.2 (Refer to appendix B) NSW DPI to prepare a paper for CommFish consideration	NSW DPI		In Progress
17.8	Item 7.6: (Refer to appendix C) NSW DPI to write to the proponent to request further information.	NSW DPI		In Progress
18.6	Appendix G - Item 11.1.2 - NSW DPI to write to the proponent to request further information on trap size.	NSW DPI		In Progress
18.7	Appendix G Items 11.3, 11.4, 11.5 and 11.7. - To revisit at a later date.	NSW DPI		In Progress
19.2	CommFish recommend: 1. NSW DPI to consult with fishers and existing registered fish receivers on the four options. 2. NSW DPI and Industry work to improve compliance with existing record-keeping and reporting requirements.	NSW DPI  NSW DPI		In Progress
19.3	NSW DPI to investigate the sending of links to industry members.	NSW DPI		In Progress
19.4	The EG member is to provide an example of a proposed industry standard with the assistance of the EO and revert back to CommFish for further discussion.	EG & EO	<p><b>Meeting 20: Update –</b></p> <ul style="list-style-type: none"> <li>EG member has raised with NSW SIC as the appropriate body.</li> <li>It was resolved to draw up an Industry standard that NSW SIC would endorse.</li> </ul> <p><b>Meeting 21: Update –</b></p> <p>EG member advised that a draft has been prepared and is with the Chair of NSW SIC.</p>	In Progress
19.7	Item 1.2 DPI to work with proponent and report back to CommFish (refer to appendix C).	NSW DPI		In Progress
19.9	The following items from the BEP are recommended for further discussion with RFNSW Item 2.5 and 2.9 (refer to appendix D)	NSW DPI		In Progress
19.10	Item 4.1 from the BEP is to be considered at a later date. (refer to appendix F)	NSW DPI		In Progress

No.	Action	Whom	Comments	Status
19.11	Item 5.1 from the BEP is for DPI to investigate and report back to CommFish on amending the Act or regulation. (refer to appendix G)	NSW DPI		In Progress
19.12	Item 6.1.1 from the BEP (refer appendix H) 1. DPI to work with shareholders on a co-management approach. 2. Move to the next step (BEP working group).	NSW DPI		In Progress
19.13	Item 7.2 from the BEP is for DPI to work with relevant shareholders and revert back to CommFish for further consideration (refer to appendix I)	NSW DPI		In Progress
20.1	All future papers/documents tabled in a meeting room are to be emailed to Members not in attendance (or participating via teleconference.)	NSW DPI	<b>Meeting 21:</b> Noted by EO.	Completed
20.2	1. NSW DPI to release the Trawl Whiting Harvest Strategy for public consultation. 2. NSW DPI to investigate why quota could not be transferred prior to the end of the fishing period between fishing business with the same business owner.	NSW DPI		In Progress
20.3	NSW DPI to notify CommFish of any communication from the NSW Government to industry relating to the proposals recommended by CommFish for implementation from meeting 19.	NSW DPI	<b>Meeting 21:</b> Noted by DPI.	Completed
20.4	The EG Member to provide an agenda papers on succession planning and Family Trusts buying shares.	EG	<b>Meeting 21:</b> Further discussion at today's meeting.	Completed
20.5	The following items from the BEP are to be revisited after seeking feedback from relevant fishers: (Refer to appendixes B; Items 1.1, 1.2, 1.3, and 1.5).	NSW DPI		In Progress
20.6	The following items from the BEP are recommended to progress to the next step - BEP working group (Refer to appendixes B, C, D, E and F; Items 1.4, 2.1, 2.2, 3.1, 3.2 3.3, 3.4.1, 4.2 and 4.3).	NSW DPI		In Progress
20.7	The following items from the BEP are recommended as no change (Refer to appendixes D, E and F; Items 3.4.2, 4.1, 4.5, 4.6, 5.1, 5.2, 5.3.1, 5.5, 5.6.1, and 5.7).	NSW DPI		In Progress

No.	Action	Whom	Comments	Status
20.8	NSW DPI to seek further information from the proponents. (Bait nets various waters; Item 4.4.)	NSW DPI		In Progress
20.9	Dive members to consider an alternative approaches to enhance diver safety (Item 5.3.2)	CFNSW		In Progress
20.10	NSW DPI to investigate post catch reconciliation of quota and report back to CommFish (Item 5.4)	NSW DPI		In Progress
20.11	Regulations are amended to clarify that hanging of SUTS species is not permitted (Item 5.6.2)	NSW DPI		In Progress
21.1	Chair to provide a written response to the correspondence in relation to the operation of CommFish.	Chair		
21.2	<ol style="list-style-type: none"> <li>1. NSW DPI to proceed with public consultation on the implementation of a mud crab tagging program and to seek feedback on a tagging management framework.</li> <li>2. If after public consultation it is viewed that tagging is to be implemented, NSW DPI is to seek approval for funding from the Commercial Fishing Trust fund.</li> <li>3. NSW DPI is to consider any potential future income going back into the Commercial Fishing Trust fund.</li> </ol>	NSW DPI		In Progress
21.2	<ol style="list-style-type: none"> <li>1. NSW DPI to release the draft NSW Lobster Harvest Strategy for public consultation.</li> <li>2. NSW DPI to provide CommFish with a summary of the public feedback and the final draft harvest strategy for review.</li> </ol>	NSW DPI		In Progress
21.3	<ol style="list-style-type: none"> <li>1. NSW DPI to proceed with public consultation on the implementation of a mud crab tagging program and to seek feedback on a tagging management framework.</li> <li>2. If after public consultation it is viewed that tagging is to be implemented, NSW DPI is to seek approval for funding from the Commercial Fishing Trust fund.</li> <li>3. NSW DPI is to consider any potential future income going back into the Commercial Fishing Trust fund.</li> </ol>	NSW DPI		In Progress

<b>No.</b>	<b>Action</b>	<b>Whom</b>	<b>Comments</b>	<b>Status</b>
21.4	1. NSW DPI to provide CommFish with a summary of public feedback and the final draft of NSW Trawl Whiting Harvest Strategy out of session. 2. CommFish to provide NSW DPI with their recommendation on the NSW Trawl Whiting Harvest Strategy out of session.	NSW DPI  Council		In Progress
21.5	NSW DPI to make a grant application to the Commonwealth and provide CommFish with an update on its progress.	NSW DPI		In Progress
21.6	The EO is to investigate training opportunities available within DPI to table at the next meeting.	EO		In Progress
21.7	Invite the Director, Fisheries Compliance to the next CommFish meeting that is face to face.	NSW DPI		In Progress
21.8	Members ensure future harvest strategy working group's TOR provide for at least one membership position from CommFish.	Council		
21.9	The following items from the BEP are recommended as no change (Refer to appendixes B) Items 5.8.1, 5.10 and 5.11.1.	NSW DPI		In Progress
21.10	DPI to pilot co-management with Clarence School Prawn Committee.	NSW DPI		In Progress
21.11	That Item 5.9 (Appendix B) move to the next step (BEP working group).	NSW DPI		In Progress
21.12	A separate review of rights of priority be revisited at a later date.	NSW DPI Council		In Progress

## Appendix B – Outcomes from discussion on Business Efficiency Program – Various proposals and Fisheries (cont. from meeting 20)

Topic discussed	Noted	CommFish Recommendation	Action
<b>5.8 Prawn count (size limit) program</b>	<ol style="list-style-type: none"> <li>1) The program to continue to trial gear to improve the selectivity of prawn size and reduce bycatch is the most cost-effective way to reduce mortality of small prawn.</li> <li>2) In conjunction with improving equipment it was recommended a co-management approach with organisation like the Clarence School Prawn Committee would assist in the management of the resource with potential in the future to eliminate the prawn count program.</li> <li>3) The two programs need to work together.</li> <li>4) The same opportunities presented should be available to the other two estuaries.</li> </ol>	<ol style="list-style-type: none"> <li>1) That the current proposals to remove the size limits for prawns in the Estuary Prawn Trawl Fishery and also modify the prawn counts is not progressed.</li> <li>2) DPI pilots a co-management approach with Clarence School Prawn Committee, as the same time as the gear selectivity program over a two-year period before any changes to the prawn count program is considered.</li> </ol>	<p><b>1) 21.9: No Change.</b></p> <p><b>2) 21.10: DPI to pilot co-management with Clarence School Prawn Committee.</b></p>
<b>5.9 Flexible trawl season – Clarence River</b>	<ol style="list-style-type: none"> <li>1) The flexible opening and closing arrangements was implemented as a result of closing the trawl fishery on weekends and public holidays.</li> <li>2) The intent was for local fishers to collectively decide if the season should be extended</li> <li>3) The consensus was to permanently extend the season in the Clarence River at the beginning of the season by 15 days in total.</li> </ol>	Set the 15 days permanently to the beginning of the season move to the next step of the BEP.	<b>21.11: Move to the next step (BEP working group).</b>
<b>5.10 Allow hand gathering endorsement holders to take Whelks</b>	<ol style="list-style-type: none"> <li>1) There has been no Environmental Impact Statement undertaken on the impact of harvesting this species. The cost benefit for this undertaking an EIS would require further consideration.</li> <li>2) The stock status is classified as unknown and not captured under the Status of Australian Fish Stocks (SAFS) assessment framework.</li> <li>3) Little is known about this species and the potential impacts of fishing on the stocks. Would require investment in biological research and</li> </ol>	That the proposal to the taking of Whelks under an Estuary General Hand Gathering endorsement is not progressed.	<b>21.9: No Change</b>

Topic discussed	Noted	CommFish Recommendation	Action
	assessment of the stock that is likely to cost more than the economic return.		
<b>5.11 Rights of priority</b>	<ol style="list-style-type: none"> <li>1) The proposal supports the removal of all management and enforcement provisions for "rights of priority"</li> <li>2) The current rules were introduced to manage conflict between fishers.</li> <li>3) The rights of priority included but not limited to: <ol style="list-style-type: none"> <li>a) Commercial fishers taking fish from the same beach in the Ocean Hauling Fishery.</li> <li>b) Commercial fishers using certain nets, such as prawn running, or prawn set pocket net.</li> <li>c) Whilst prawn ballots are used, Fisheries Officers must still enforce the priority determinations.</li> <li>d) Recognised fishing grounds.</li> </ol> </li> <li>4) A separate review of all the "rights of priority" is needed as many of them are not broken and potentially there may be the opportunity to improve or add new ones.</li> </ol>	<ol style="list-style-type: none"> <li>1) That the proposal to remove the management and enforcement provisions for "rights of priority" is not progressed.</li> <li>2) A separate review of the "rights of priority" be revisited later.</li> </ol>	<p><b>1) 21.9: No Change</b></p> <p><b>2) 21.12: A separate review of the "right to priority" be revisited at a later date.</b></p>