



**Commercial Fishing NSW Advisory Council  
(CommFish NSW AC)  
Meeting 17, 27 November 2020  
Newcastle and via Teleconference**

Members present	Stuart Richey AM	CommFish NSW Chair (Chair)
	Peter Turnell	Director, Fisheries & Aquaculture Management
	Greg Finn	Member – Ministerial Fisheries Advisory Council (MFAC) Commercial Fisher Member – Abalone Share Managed Fishery
	Raymond Saunders	Member – Aboriginal Commercial Fishers
	Mark Cranstone	Member – Lobster Share Managed Fishery
	Mitchell Sanders	Member – Ocean Trap & Line Share Managed Fishery
	Steve Hounsell	Member – Inland Restricted Fishery
	Geoff Blackburn	Member – Estuary General Share Managed Fishery
	Darren Ward	Member – Ocean Trawl Share Managed Fishery
	Craig Shephard	Member – Sea Urchin and Turban Shell Fishery
	Steve Everson	Member – Estuary Prawn Trawl Share Managed Fishery
	Cherie Kirkman	Executive Officer, DPI Fisheries
Invited guests	Sean Sloan – Deputy Director General, DPI Fisheries Darren Hale, Senior Fisheries Manager Darren Reynolds, Senior Fisheries Manager	
Apologies	John Jarvis – Member Southern Fish Trawl Fishery	

**27 November 2020**

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

**NOTED:**

- Chair opened the meeting at 8:30am and welcomed Council members.
- The Aboriginal member acknowledged the traditional owners of the land, past and present.

**2. Review of Agenda**

**NOTED:**

Council accepted the agenda.

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

**NOTED:**

Further pecuniary interest updates have been submitted

**ACTION 17.1: EO to update for register and circulate.**

**4. Confirmation of Minutes from Meeting 16**

**NOTED:**

Minutes from meeting 16 accepted without change, as a true and accurate record of the meeting.

## 5. Current actions arising from Meeting 16

### **NOTED:**

- Action 13.5 - Charter has been approved and now on Webpage, marked as completed;
- Action 15.3 - Chair has written to Chair of MFAC, marked as completed;
- Action 16.1 – CommFish members to email EO with any updates for register.
- Action 16.2 - Members contact details have been forwarded to Senior Manager marked as completed; and
- All other actions in progress.

## 6. Business Efficiency Program – species restriction (miscellaneous)

Several proposals were presented to CommFish for consideration. Current rules were considered, and a more detailed summary is provided in appendix B.

## 7. Business Efficiency Program – Estuary General meshing nets

Several proposals were presented to CommFish for consideration. Current rules were considered, and a more detailed summary is provided in appendix C.

## 8. Other business

### 8.1. Correspondence received

Correspondence was received in relation to the allowance, of (licenced) crew, within Estuary General Handline Endorsement.

### **NOTED:**

- That this was referred to NSW DPI to contact fisher as it was deemed operational and had been previously responded to.

### 8.2. Commercial fisherman as carp control

### **NOTED:**

- The Inland member gave a brief overview on his proposal on carp control that he wished to share with the RFNSW at the joint meeting.

### 8.3. Other topics for discussion

### **NOTED:**

- Several members advised that due to time restraints they would defer their conversation to the next meeting.

## 9. Joint meeting with Recreational Fishing NSW Advisory Council (RFNSW)

### **NOTED:**

- Due to time restraints a brief discussion was held in preparation for the joint meeting with RFNSW. Topics included:
  - Mulloway;
  - Black Marketing; and
  - Kingfish.

## 10. Next meeting

Next meeting date was discussed:

- 23 & 24 February 2021

## Meeting closed

- 27 November 2020 at 12:15pm

## Appendix A – Current Actions & Recommendations List for Meeting 17

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
10.5	1. DPI NSW to investigate the link between pre-fish, post-land and catch and effort reports as part of the catch and effort review. <b>Meeting 11: Action amended to included</b> 2. Members to provide EO examples and EO to collate into a list for NSW DPI	NSW DPI  Council /EO	<b>Meeting 11:</b> A/g GDCF&Aq advised review progressing	In Progress
10.12	NSW DPI to investigate how to expand the export list.	NSW DPI	<b>Meeting 11:</b> In progress	In progress
11.2	1. NSW DPI to cancel shares and 2. Implement a policy in relation to surrendered and forfeited shares.	NSW DPI	<b>Meeting 13:</b> 1. Has been completed, 2. Under investigation	1. Completed 2. In progress
11.4	NSW DPI to: 1. Amend the debt recovery process to remove forfeiture.	NSW DPI	<b>Meeting 14:</b> 1. Completed forfeiture has been removed	1. Completed 2. In progress

No.	Action	Whom	Comments	Status
	2. Consider CommFish NSW feedback when writing and implementing a firm policy.			
13.3	NSW DPI consult industry on 10-year commercial fishing licences.	NSW DPI		In progress
13.4	NSW DPI consult industry on boat lengths and licences.	NSW DPI		In progress
13.5	NSW DPI to amend the CommFish NSW Charter as per the agreed wording.	NSW DPI	<b>Meeting 16:</b> Approval has been given to amend Charter. <b>Meeting 17:</b> Approved Charter was uploaded to web on 2 November 2020	Completed
14.1	NSW DPI to: <ul style="list-style-type: none"> <li>1. Proceed with industry consultation on the proposed framework;</li> <li>2. Consider that the methodology should be reviewed by an independent economist to ensure the most representative GVP figures are being used; and</li> <li>3. Provide CommFish with the outcomes of the industry consultation.</li> </ul>	NSW DPI		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
14.3	NSW DPI to consult with industry on reducing the minimum nomination period from 48 hours to 12 hours.	NSW DPI		In progress
14.4	NSW DPI to progress the proposed changes to crew in the Estuary General Fishery to the BEP working group for further discussion.	NSW DPI		In progress
14.5	NSW DPI to consult industry on the proposed changes to real-time reporting.	NSW DPI		In progress
14.6	NSW DPI to: <ul style="list-style-type: none"> <li>1. Consult with industry on increasing the maximum shareholding in the Lobster Fishery and changes to endorsements in the Inland Fishery; and</li> <li>2. Revisit the Fishing business transfer rules.</li> </ul>	NSW DPI		In progress
14.8	NSW DPI to facilitate communication with fishers on behalf of OceanWatch when requested.	NSW DPI		In progress

No.	Action	Whom	Comments	Status
14.9	Executive Officer to: 1. Pass on CommFish comments and thanks regarding the logo to the designer; and 2. Amend all templates and work with members to update profiles on the website.	EO	<b>Meeting 16:</b> All completed except the updating of members profiles on website.	In progress
15.1	NSW DPI: 1. To work to implement the actions arising from the NSW Government's initial response to the recommendations of the report.	NSW DPI		In progress
15.2	NSW DPI: 1. Engage BDO EconSearch to deliver the Economic and Social indicator monitoring; 2. To recommend funding for the proposal from the Commercial Fishing Trust Fund; and 3. Provide CommFish NSW with a balance of the Commercial Fishing Trust Fund.	NSW DPI		In progress
15.3	The Chair is to write to the Chair of MFAC advising that whilst CommFish is supportive of the initiatives the timing for such investment should be revisited at a later date.	Chair	Sent 11 November 2020	Completed
16.1	CommFish members to email EO with any updates for register.	Council		Completed
16.2	EO to provide member contact numbers to Senior Manager, Marine Planning.	EO	Sent 11 November 2020	Completed
16.3	NSW DPI to go out to EOI for membership of the Abalone and Spanner Crab Working Groups.	NSW DPI		
16.4	NSW DPI to go out to industry consultation using the recommended paper.	NSW DPI		
16.5	NSW DPI to: 1. Provide CommFish members with the latest stock assessment report on Blue swimmer crabs for further consideration; 2. Revert back to CommFish in relation to Lobster take and possession in demersal fish traps and the Ocean	NSW DPI		

No.	Action	Whom	Comments	Status
	<p>Trawl fishery; and</p> <p>3. Progress the following proposals to the joint working group for consideration:</p> <ul style="list-style-type: none"> <li>a. A reduced size limit of 28 cm for Silver trevally taken in the Ocean Trawl fishery, noting that the minimum mesh size of 115 mm in the body of a fish trawl net should be considered at the same time;</li> <li>b. A reduced size limit of 30 cm for Tiger flathead;</li> <li>c. Allowing quota species subject to a size limit to be retained in prawn trawl nets in the Ocean Trawl fishery south of Smoky Cape.</li> </ul>			
16.6	<ul style="list-style-type: none"> <li>1. Retain a permitted, target and by-product species lists for the Estuary General and Estuary Prawn Trawl fisheries, respectively; and</li> <li>2. Progress the following proposed changes to these lists to the joint working group for consideration: <ul style="list-style-type: none"> <li>a. Estuary General permitted species list – add Wirrah, Diamond fish, Oxeye and Giant herring, Bigeye, Giant and Brassy trevally, Common pony fish, Barred/spotted grunter, Giant salmon catfish, Eastern shovelnose, Moses perch, Greenback flounder, Queenfish, Stargazer, Sweetlip, Slaty bream, Rock cod and Black spotted cod.</li> <li>b. Hunter EPT by-product list – add Silver biddies, Carp and Herring.</li> <li>c. Hawkesbury EPT by-product list – add Cuttlefish, Southern calamari, John dory, Giant boarfish, Scat, Diamond fish, Tripletail, Fantail mullet, Catfish, Black trevally, Tounge sole, Stingrays, Pike, Coral crab, Common pike eel, Eastern fiddler ray, Eastern shovelnose and Herring.</li> </ul> </li> </ul>	NSW DPI		
16.7	NSW DPI to seek \$5000 from the Commercial Fishing Trust Fund to contribute to the cost of the signage.	NSW DPI		

No.	Action	Whom	Comments	Status
17.1	EO to update for register and circulate.	EO		
17.2	The following items from the BEP – species restriction (miscellaneous), are recommended to move to the next step - BEP working group. (Refer to appendix B) Items: 6.1, 6.2, 6.3, 6.4, 6.7, 6.9, 6.12 and 6.15.1	NSW DPI		
17.3	The following items from the BEP – species restriction (miscellaneous), are recommended as no change and not required to move to next stage of the BEP. (Refer to appendix B) Items: 6.5, 6.6, 6.8, 6.11, 6.13 and 6.14.	NSW DPI		
17.4	Item 6.10: (Refer to appendix B) NSW DPI to investigate further and consider amending the regulations.	NSW DPI		
17.5	Item 6.15.2 (Refer to appendix B) NSW DPI to prepare a paper for CommFish consideration	NSW DPI		
17.6	The following items from the BEP – Estuary General meshing nets, are recommended to move to the next step - BEP working group. (Refer to appendix C) Items: 7.1 and 7.4.	NSW DPI		
17.7	The following items from the BEP – Estuary General meshing nets, are recommended as no change and not required to move to next stage of the BEP. (Refer to appendix C) Items: 7.2, 7.3, 7.5 and 7.7.	NSW DPI		
17.8	Item 7.6: (Refer to appendix C) NSW DPI to write to the proponent to request further information.	NSW DPI		

## Appendix B – Outcomes from discussion on Business Efficiency Program – species restrictions (miscellaneous)

Topic discussed	Noted	CommFish - Agree	Action
<b>6.1. Possession limits – all fisheries</b>	<ul style="list-style-type: none"> <li>• Current rule.</li> <li>• Possession limits are cost-effective for enforcement.</li> <li>• There may be other species with same issue.</li> <li>• Technology could be used to track but uncertain on implementation timing.</li> </ul>	<ul style="list-style-type: none"> <li>• Transportation to Co-op can be problematic if transport is not available daily.</li> <li>• That the commercial daily possession limits be increased to twice the current bag limit for catch that is in storage pending disposal.</li> <li>• Do not want to increase mortality, only what is held for sale.</li> <li>• If the possession limits change, consideration should be given to upgrading the mobile App to support integrity of the bag limits.</li> <li>• To move to the BEP working group.</li> </ul>	<b>17.2: Move to the next step (BEP working group).</b>
<b>6.2. Estuary General Flathead net – species restrictions</b>	<ul style="list-style-type: none"> <li>• Current rule.</li> <li>• The flathead net is designed to catch flathead and to minimise bycatch.</li> <li>• Meshing nets are more efficient to target other species, so unlikely the flathead net would be used to target other species.</li> <li>• Enforcement is difficult when fishers are also in possession of a meshing net or handline.</li> </ul>	<ul style="list-style-type: none"> <li>• The benefit of this proposal is that it would reduce wastage by allowing fishers to legally retain what is caught in a net and enhance industry viability.</li> <li>• To allow any species taken incidentally in a flathead net to be retained, subject to holding quota if a quota species is to be retained for sale.</li> <li>• The regulations should authorise retention of incidental catches only, when the net is being used to target flathead (i.e. the regulations should not support targeting of species other than flathead).</li> <li>• To move to the BEP working group.</li> </ul>	<b>17.2: Move to the next step (BEP working group).</b>
<b>6.3. Estuary General category 1 and 2 hauling – species restrictions</b>	<ul style="list-style-type: none"> <li>• Current rule.</li> <li>• The following relevant net types and what species can and cannot be taken in each: <ul style="list-style-type: none"> <li>○ Hauling net (general purpose).</li> <li>○ Trumpeter whiting net (hauling).</li> <li>○ Pilchard, anchovy and bait net (hauling).</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Proposed to change the following net types to allow the taking of all species except those subject to a size limit: <ul style="list-style-type: none"> <li>○ Pilchard, anchovy and bait net (hauling).</li> <li>○ Garfish net (bullringing).</li> </ul> </li> <li>• Proposed no change to the following net types: <ul style="list-style-type: none"> <li>○ Hauling net (general purpose).</li> </ul> </li> </ul>	<b>17.2: Move to the next step (BEP working group).</b>



Topic discussed	Noted	CommFish - Agree	Action
	<ul style="list-style-type: none"> <li>○ Garfish net (hauling).</li> <li>○ Garfish net (bullringing).</li> <li>○ Bait net.</li> </ul>	<ul style="list-style-type: none"> <li>○ Trumpeter whiting net (hauling).</li> <li>○ Garfish net (hauling).</li> <li>○ Bait net.</li> <li>● That only changes are to move to the BEP working group.</li> </ul>	
<b>6.4. Estuary General prawning – species restrictions</b>	<ul style="list-style-type: none"> <li>● Current rule.</li> <li>● The following relevant net types and what species can and cannot be taken in each: <ul style="list-style-type: none"> <li>○ Prawning running net.</li> <li>○ Prawn net (hauling).</li> <li>○ Prawn net (hauling): Manning River.</li> <li>○ Prawn net (hauling): Wallis Lake.</li> <li>○ Seine net (prawns).</li> <li>○ Seine net (prawns): clover leafing.</li> <li>○ Prawn net (set pocket).</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>● Proposed to change: <ul style="list-style-type: none"> <li>○ Prawn running net and Prawn net (hauling) - allow any species to be taken as incidental catch except species subject to a size limit (other than Mud Crab, Blue Swimmer Crab, Longfin River Eel and Shortfin River Eel). If a species taken is subject to quota, quota must be held to cover the catch.</li> <li>○ Prawn net (hauling) – Manning River &amp; Wallis Lake, Seine net (Prawns), Seine net (prawns): clover leafing and Prawn net (set pocket) - allow incidental catches of Mud Crab, Blue Swimmer Crab, Longfin River Eel and Shortfin River Eel subject to holding quota to cover the catch.</li> </ul> </li> <li>● To move to the BEP working group.</li> </ul>	<b>17.2: Move to the next step (BEP working group).</b>
<b>6.5. Banded Rock Cod – take and possession</b>	<ul style="list-style-type: none"> <li>● Current rule.</li> <li>● Bag limit: <ul style="list-style-type: none"> <li>○ Was introduced to prevent illegal fishing outside the 183 metre (100 fathom) depth contour.</li> <li>○ Was not introduced for sustainability, viability or resource sharing.</li> <li>○ Is doing little to overcome current concerns with Redfish.</li> </ul> </li> <li>● Illegal fishing could be address through Technology, such as VMS/onboard monitoring.</li> <li>● OTL fishers on the north coast could have differing opinions.</li> <li>● Current rule is an issue for the industry, not other stakeholder groups.</li> </ul>	<ul style="list-style-type: none"> <li>● Investment in line fishing (east) shares has already been made by fishers.</li> <li>● Rule was introduced to stop illegal fishing, which remains a risk.</li> <li>● No change and not required to move to next stage of the BEP.</li> </ul>	<b>17.3: No change and not required to move to next stage of the BEP.</b>

Topic discussed	Noted	CommFish - Agree	Action
<b>6.6. Octopus – take and possession</b>	<ul style="list-style-type: none"> <li>• Current rule.</li> <li>• Proposal relates to targeting octopus using eel traps in estuarine waters.</li> <li>• Octopus is not quota managed.</li> <li>• Under the Developmental Fisheries Policy a permit has been issued authorising investigative fishing for octopus.</li> <li>• Should consider postponing any recommendations until outcomes of the authorised exploratory fishing is known.</li> <li>• Increasing the use of eel traps in the lower reaches of NSW estuaries could present other issues such as new bycatch issues and increased interactions with other users of the waterways.</li> </ul>	<ul style="list-style-type: none"> <li>• Possibility of a fishery for octopus in the future.</li> <li>• No change and not required to move to next stage of the BEP.</li> </ul>	<b>17.3: No change and not required to move to next stage of the BEP.</b>
<b>6.7. Worm only conditions on hand gathering endorsements</b>	<ul style="list-style-type: none"> <li>• Current rule.</li> <li>• There are six endorsement holders that have a 'worm only' condition on their hand gathering endorsement.</li> <li>• This condition limits the holder to taking Beachworm only.</li> <li>• Condition was implemented in the early 2000s as a Ministerial decision to allow a small number of people into the industry to take worms to satisfy demand.</li> <li>• In 2007 when Share Management Fisheries was introduced: <ul style="list-style-type: none"> <li>○ Those that held a licence that could not accumulate 'catch history' were issued 1 handgathering share which allowed them to still fish but perpetuated the non-transferable nature of their access.</li> <li>○ Those that could accumulate 'catch history' had enough to be issued 125 handgathering shares.</li> </ul> </li> <li>• Currently a minimum shareholding of 125 is required to be eligible for a handgathering endorsement.</li> <li>• Those with 1 share remain 'non-transferable.'</li> <li>• Both groups were issued beachworm quota shares only.</li> </ul>	<ul style="list-style-type: none"> <li>• If the 'worm only' conditions are removed, these fishers would have the option to expand their businesses by investing in quota shares for other species (e.g. Pipi, Cockle, Cuttlefish, Mussel and Nippers), consistence with the objects of the BAP and BEP.</li> <li>• That the "worm only" conditions be removed from all six handgathering endorsements.</li> <li>• To move to the BEP working group.</li> </ul>	<b>17.2: Move to the next step (BEP working group).</b>

Topic discussed	Noted	CommFish - Agree	Action
<b>6.8. Eel-tailed Catfish – take and possession</b>	<ul style="list-style-type: none"> <li>• Current rule.</li> <li>• Species is vulnerable to overfishing and populations have suffered a severe decline in abundance and distribution.</li> <li>• The Eel-tailed Catfish is listed as endangered in the Murray-Darling system.</li> <li>• Eel-tailed Catfish is totally protected west of the Great Dividing Range.</li> <li>• Eel-tailed Catfish is protected from commercial fishing east of the Great Dividing Range.</li> </ul>	<ul style="list-style-type: none"> <li>• There is no economic benefit.</li> <li>• Concern for species.</li> <li>• No change and not required to move to next stage of the BEP.</li> </ul>	<b>17.3: No change and not required to move to next stage of the BEP.</b>
<b>6.9. Carp – take and possession</b>	<ul style="list-style-type: none"> <li>• Current rule.</li> <li>• Carp is a noxious pest.</li> <li>• Fishers can already take this species under permit.</li> </ul>	<ul style="list-style-type: none"> <li>• That carp to be added to the permitted species list for the Estuary General Fishery.</li> <li>• To move to the BEP working group.</li> </ul>	<b>17.2: Move to the next step (BEP working group).</b>
<b>6.10. Freshwater Shrimp – Inland Restricted Fishery</b>	<ul style="list-style-type: none"> <li>• Current rule.</li> <li>• The yabby trap regulation authorises the taking of incidental catches of Freshwater Shrimp.</li> <li>• Any uncertainty with interpretation would be because the regulations establishing the Inland Restricted Fishery refer only to Yabby and Carp.</li> <li>• The preferred NSW DPI interpretation is that Freshwater Shrimp may be taken.</li> <li>• The proposal appears to relate to incidental catches, not targeting.</li> <li>• Taking incidental catches is appropriate given limited knowledge on Freshwater Shrimp and no information to support the stock could sustain a targeted commercial fishery.</li> <li>• Possible market for Freshwater Shrimp for use as bait by recreational fishers.</li> <li>• The future of yabby traps in NSW is unknown at this point, due to bycatch issues (but will be determined under other processes).</li> </ul>	<ul style="list-style-type: none"> <li>• Subject to NSW DPI legal advice, amend the regulations for the Inland Restricted Fishery to clarify that it is lawful to take incidental catches of Freshwater Shrimp in yabby traps in the Inland Restricted Fishery.</li> </ul>	<b>17.4: NSW DPI to investigate further and consider amending the regulations.</b>

Topic discussed	Noted	CommFish - Agree	Action
<b>6.11. Mulloway – size limit</b>	<ul style="list-style-type: none"> <li>• Current rule.</li> <li>• The stock is assessed as depleted.</li> <li>• Any changes to its status will be informed by science, which is ongoing for this species.</li> </ul>	<ul style="list-style-type: none"> <li>• Not to change the size limit for Mulloway.</li> <li>• Not required to move to next stage of the BEP.</li> </ul>	<b>17.3: No change and not required to move to next stage of the BEP.</b>
<b>6.12. Yellowtail Kingfish and the 80/20 rule – Ocean Hauling Fishery</b>	<ul style="list-style-type: none"> <li>• Current rule.</li> <li>• The Yellowtail Kingfish biological stock, which extends from Queensland to South Australia and east to New Zealand, is classified as undefined.</li> <li>• Likely to be a depleted stock in New South Wales waters and recruitment is likely to be impaired.</li> <li>• Current fishing mortality levels in NSW are likely to prevent the NSW part of the stock recovering from a recruitment impaired state.</li> <li>• Over 20 years ago the '20% rule' was introduced (mid-2000s). Since then overcapacity, effort and catches in the Ocean Hauling Fishery have decreased.</li> <li>• Monitoring of key species, including Yellowtail Kingfish is core business for DPI and can be used to detect increases in catch by one or more sector (or method) or emerging sustainability issues.</li> <li>• Currently no Harvest Strategy or formal resource sharing arrangements for Yellowtail Kingfish.</li> </ul>	<ul style="list-style-type: none"> <li>• The '20% rule' is difficult for fishers to comply with and compliance officers to enforce. For fishers, it is not possible to know whether a school of fish contains less than 20% Yellowtail Kingfish and once taken it is difficult to estimate the proportion of the catch that is Yellowtail Kingfish and if needed how many to discard.</li> <li>• Unnecessary discarding of fish is not desirable, particularly on ocean beaches.</li> <li>• Catches of Yellowtail Kingfish when beach hauling includes few other species, meaning there is high likelihood that catches will continue to exceed the '20% rule.</li> <li>• That the 20% rule be removed from the Ocean Hauling Fishery for all species.</li> <li>• To move to the BEP working group.</li> </ul>	<b>17.2: Move to the next step (BEP working group).</b>
<b>6.13. Tailor – take and possession</b>	<ul style="list-style-type: none"> <li>• Current rule.</li> <li>• Share linkage has already been dealt with under the Business Adjustment Program and therefore is outside the scope of BEP.</li> <li>• No formal resource sharing arrangements for Tailor, or Harvest Strategy.</li> <li>• Tailor is not subject to the '20% rule' in the Ocean Hauling Fishery and large targeted catches can be more frequent than Yellowtail Kingfish.</li> </ul>	<ul style="list-style-type: none"> <li>• To leave as a section 8 and revisit later (i.e. maintain status quo).</li> <li>• No change and not required to move to next stage of the BEP.</li> </ul>	<b>17.3: No change and not required to move to next stage of the BEP.</b>

Topic discussed	Noted	CommFish - Agree	Action
	<ul style="list-style-type: none"> <li>Including it in regulation would lessen the need for DPI to re-make the fishing closure every five years.</li> </ul>		
<b>6.14. Australian Salmon – Take and possession</b>	<ul style="list-style-type: none"> <li>Current rule.</li> <li>Australian Salmon is not quota managed in any fishery, including the Ocean Hauling Fishery.</li> <li>Australian Salmon is not subject to the '20% rule' in the Ocean Hauling Fishery and large targeted catches can be more frequent than Yellowtail Kingfish.</li> <li>Including it in regulation would lessen the need for DPI to re-make the fishing closure every five years.</li> </ul>	<ul style="list-style-type: none"> <li>Important species to other fishers.</li> <li>To leave as a section 8 and revisit later (i.e. maintain status quo).</li> <li>No change and not required to move to next stage of the BEP.</li> </ul>	<b>17.3: No change and not required to move to next stage of the BEP.</b>
<b>6.15.1. Ocean Hauling Fishery (further 'conditional target' species) (the 20% rule)</b>	<ul style="list-style-type: none"> <li>This proposal involves adding Silver Bidy, Squid spp. and Yellowtail Scad to the conditional target species list for the general purpose hauling net.</li> <li>Occasionally fishers in Jervis Bay target these species and when they do, they generally make up more than 20% of the catch in a haul shot ('20% rule').</li> <li>Pursuing this proposal under the BEP may depend on the outcome of Yellowtail Kingfish and the '20% rule' (item 6.12).</li> </ul>	<ul style="list-style-type: none"> <li>If removal of the 20% rule is pursued (for Yellowtail Kingfish), consideration can be given to the species in this proposal also.</li> <li>To move to the BEP working group.</li> </ul>	<b>17.2: Move to the next step (BEP working group).</b>
<b>6.15.2. Line fishing in the Ocean Trawl &amp; Line Fishery – bycatch</b>	<ul style="list-style-type: none"> <li>This proposal involves: <ul style="list-style-type: none"> <li>a) allowing limited take of bycatch when operating in the School and Gummy Shark sector (e.g. a 50 kg bag limit of flathead sp., Snapper, Draughtboard Shark etc.).</li> <li>b) allowing limited take of School and Gummy Shark when operating in the line (west) or line (east) sectors (e.g. a 50 kg bag limit of School and Gummy Shark).</li> </ul> </li> <li>Line fishers sometimes catch non-target species. They are either discarded or landed and misreported as taken under an endorsement that authorises them to be taken.</li> </ul>	<ul style="list-style-type: none"> <li>That NSW DPI prepares a paper on this issue for CommFish consideration.</li> </ul>	<b>17.5: NSW DPI to prepare a paper for CommFish consideration</b>

## Appendix C – Outcomes from discussion on Business Efficiency Program – Estuary General meshing nets

Topic discussed	Noted	CommFish - Agree	Action
<b>7.1. Materials used to construct nets: Monofilament</b>	<ul style="list-style-type: none"> <li>• Current rule.</li> <li>• The removal of the restriction on monofilament would enable fishers to adopt new potentially more efficient and durable materials that may help improve viability.</li> <li>• The meshing fishery is subject to day quota.</li> <li>• The TAE will be periodically reviewed from 2024.</li> <li>• Any unsustainable increases in catch could be managed by adjusting the TAE or introducing species-specific controls;</li> <li>• Compliance officers have difficulty enforcing the current prohibition.</li> <li>• Subject to funding, a research project currently being considered by DPI may help to inform the benefits of monofilament, including changes in catch rates which will be important for ongoing stock assessments including CPUE analysis.</li> </ul>	<ul style="list-style-type: none"> <li>• Further research, if funding is successful, would be beneficial.</li> <li>• To move to the BEP working group.</li> </ul>	<b>17.6: Move to the next step (BEP working group).</b>
<b>7.2. Net configuration: maximum length of meshing nets</b>	<ul style="list-style-type: none"> <li>• Current rule.</li> <li>• The meshing fishery is subject to day quota.</li> <li>• The TAE will be periodically reviewed from 2024.</li> <li>• Any unsustainable increases in catch could be managed by adjusting the TAE or introducing species-specific controls.</li> <li>• Increasing the maximum length of meshing nets used in “all other waters” to 1,450 m would deliver greater consistency between waters.</li> <li>• All stakeholders should be considered if allowing longer meshing nets in estuarine waters, particularly when setting.</li> </ul>	<ul style="list-style-type: none"> <li>• That you get better quality product from a smaller net.</li> <li>• Maintain status quo.</li> <li>• No change and not required to move to next stage of the BEP.</li> </ul>	<b>17.7: No change and not required to move to next stage of the BEP.</b>
<b>7.3. Net configuration: marking set nets with floats</b>	<ul style="list-style-type: none"> <li>• Current rule.</li> <li>• Fisheries compliance rely on the marking of set meshing nets to locate nets and ensure compliance with fisheries laws. This includes the limits on the number of nets that can be used.</li> </ul>	<ul style="list-style-type: none"> <li>• That the status quo should be maintained.</li> <li>• No change and not required to move to next stage of the BEP.</li> </ul>	<b>17.7: No change and not required to move to</b>

Topic discussed	Noted	CommFish - Agree	Action
	<ul style="list-style-type: none"> <li>The marking of nets for navigation.</li> </ul>		<b>next stage of the BEP.</b>
<b>7.4. Net configuration: Flathead nets</b>	<ul style="list-style-type: none"> <li>Current rule.</li> <li>Larger corks will result in the cork line sitting more than 0.8 metres above the lead line (this is would be an offence).</li> <li>The 3 different approaches set out in the regulation to keep flathead nets low in the water column.</li> </ul>	<ul style="list-style-type: none"> <li>That the maximum depth requirement (i.e. 16 meshes) be retained and the other requirements be removed.</li> <li>To move to the BEP working group.</li> </ul>	<b>17.6: Move to the next step (BEP working group).</b>
<b>7.5. Minimum mesh sizes</b>	<ul style="list-style-type: none"> <li>Current rule.</li> <li>Sand Whiting is assessed as sustainable in NSW.</li> <li>The bulk of the Sand Whiting catch in the EGF is taken by category 1 hauling endorsement holders. Between 2009 to 2020, 60% was reported as taken in general purpose hauling nets, 34% in meshing nets and 6% by other methods.</li> <li>Meshing nets are designed and used primarily to target other [larger] species.</li> <li>Research demonstrates that 60 to 70 mm mesh will result in increased bycatch of small/undersize commercially and recreationally important species.</li> </ul>	<ul style="list-style-type: none"> <li>No change and not required to move to next stage of the BEP.</li> </ul>	<b>17.7: No change and not required to move to next stage of the BEP.</b>
<b>7.6. Number of nets that may be used</b>	<ul style="list-style-type: none"> <li>Current rule.</li> <li>Proposal may help fishers to maximise profitability.</li> <li>Would be consistent with arrangements applying to the use of traps in the Estuary General and Ocean Trap and Line fisheries.</li> <li>Will not result in increased total fishing capacity – because owners can already have multiple business operating simultaneously by nominating others to operate each fishing business.</li> </ul>	<ul style="list-style-type: none"> <li>It may be difficult to work and retrieve multiple nets by sunrise and also ensure product quality and proper handling of bycatch.</li> <li>That further information from the proponent be requested addressing these issues and how the proposal will build business efficiency.</li> </ul>	<b>17.8 NSW DPI to write to the proponent to request further information.</b>
<b>7.7. The way a net must be used: alternative method of splashing</b>	<ul style="list-style-type: none"> <li>Current rule.</li> <li>In the early to mid-2000s the alternate method of splashing was made available in the Clarence River only.</li> <li>Compliance issues have been identified with the alternate method of splashing, including fishers allegedly using it to:</li> </ul>	<ul style="list-style-type: none"> <li>Commencing overnight setting before sunset occurs for other reasons also.</li> <li>That the alternative method of splashing is not extended to all NSW estuarine waters (i.e. retain the status quo).</li> <li>No change and not required to move to next stage of the</li> </ul>	<b>17.7: No change and not required to move to next stage of the BEP.</b>

Topic discussed	Noted	CommFish - Agree	Action
	<ul style="list-style-type: none"> <li>○ Commence overnight setting prior to sunset.</li> <li>○ Set nets (for more than 45 minutes) in waters or at times when setting is not permitted.</li> <li>● Enforcing the alternate method of splashing is difficult.</li> <li>● State-wide, fishers can already employ the original method of splashing, which is just as effective, has fewer enforcement issues, and can result in discards being returned to the water sooner.</li> </ul>	BEP.	