

10 October 2022

# Proposed amendment to commercial fishing regulations

## Consultation paper 6

### *Estuary General Fishery – general-purpose hauling net*

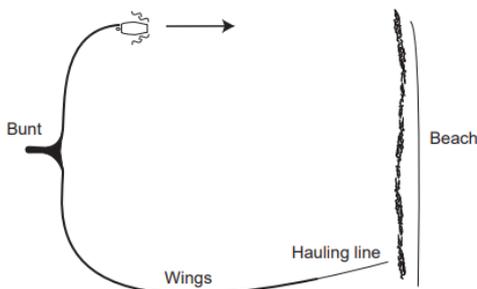
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#### Overview of activity

The general purpose (GP) hauling net may be used in the Estuary General Fishery, which operates in 76 of the 140 or so estuaries in NSW (tidal waters only) subject to marine park, aquatic reserve, and fisheries spatial controls. The GP hauling net has been used in NSW estuaries since post-colonial days and must be operated with the assistance of at least one other person. The GP hauling net is used to take species including Mullet, Luderick, Yellowfin Bream, Sand Whiting, and Silver Biddy.

A hauling net has various parts including hauling lines, wings and a bunt, which consists of a centre piece and two ‘shoulders’ located either side (Figure 1). The hauling lines and wings guide fish towards the bunt where they accumulate and where most of the selectivity<sup>1</sup> occurs.

Figure 1: diagram of a general purpose hauling net, showing a hauling line, wing, and the bunt



Fishers who hold a category 1 hauling endorsement are subject to effort quota – limiting the number of days each fisher may work each year. From 2024, the Total Allowable Effort (TAE) that applies will be periodically reviewed by the independent Total Allowable Fishing Committee or the Secretary of Department of Regional NSW. Catch in this sector may be managed by adjusting the TAE or species-specific controls.

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#### Current arrangement

**Length of bunt:** The bunt must not exceed 90 m or one-quarter the length of the net, whichever is the lesser. The bunt of a net is restricted in length because it consists of smaller size mesh than other parts of the net – but it is also where the bulk of the selectivity occurs.

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<sup>1</sup> Selectivity refers to the ability of fishing gear to retain target species at intended sizes and allow non-target species or fish of certain sizes to escape.

**Maximum mesh size:** The centre piece of the bunt has a maximum mesh size of 57 mm, but a state-wide order is in place authorising mesh up to 65 mm.

When commercial nets were first regulated it was common to reflect the nets in use or that fishers wanted to use. It was also not unusual to regulate parts of a net that did not require it.

**Snigging and re-shooting lines:** Once a net is cast the hauling of the net must continue without any interruption or delay – i.e., re-laying (or snigging and re-shooting) a hauling line is unlawful.

This was likely included in regulation because it reflects the way the net is used. It may also be that the occasional relaying of a hauling line for safety or other reasons was not recognised. Fishers prefer to not relay a hauling line because it can result in loss of a catch encircled by the net.

**Back net:** In the waters of any coastal lake or lagoon, the net is not landed by any method other than against a stake or back net.

This was likely included in regulation because it reflected the way fishers used the net in lakes and lagoons (so that fish did not escape) or so that the catch is sorted in water and not on the shore.

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## Proposed change

**Length of bunt:** Allow the bunt (centre piece and shoulders) to be up to one-third the total length of the net consistent with the rules applying to the GP hauling net used in the Ocean Hauling Fishery.

**Maximum mesh size:** Remove the maximum mesh size that applies to the centre piece of the bunt so that fishers may use larger mesh to reduce bycatch or selectively harvest larger fish.

**Snigging and re-shooting lines:** Allow hauling lines to be relayed (or snigged and re-shot) so that fisher may work safely around obstacles or in waters with strong tide.

**Back net:** Make it optional to use a back net in coastal lakes and lagoons as per other estuarine waters – fishers have other ways to stop fish escaping on completion of a haul and newer rules apply to the removal of fish from a net (see consultation paper 7).

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## What is the problem being resolved?

The proposed changes would address the following problems or issues:

- Inconsistent rules applying to the length of a bunt in ocean and estuarine waters
  - Cost for fishers building and maintaining nets to suit different rules in different fisheries
  - Cost and, for some fishers' inconvenience, using a back net
  - Inability to use larger mesh to reduce bycatch or to selectively harvest larger fish to suit market demand or to capitalise on higher prices per kilogram
  - Risk of damage to nets and the safety of crew, and others hauling without interruption or delay, noting the ever-increasing public insurance costs that fishers incur
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## Outcomes

The proposed change would deliver the following outcomes and benefits:

- Improved consistency across fisheries, potentially reducing fishing gear related costs
  - Flexibility for fishers to configure and operate nets to suit their needs, including to reduce costs (by not using a back net) and bycatch and selectively harvest larger fish
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- Improve crew and public safety and opportunity to legally avoid damage to nets
- Reduce risk of enforcement action for non-compliance with highly prescriptive regulation
- Redundant provisions removed, red tape reduced, and reduced burden on government
- No discernible impact on fisheries resources or the environment

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