Outcomes from 19th Marine and Estuarine Recreational Charter Management Advisory Committee meeting
Cronulla Fisheries Research Centre of Excellence
Tuesday 18 October 2011

Attendance
Brian Beer (Chair), Mark Flanagan (Region 2 - Mid North Coast), Scott Thorrington (Region 3 – Central Coast), Roland Persson (Region 4 - Sydney), John Paton (Region 4 - Sydney), Ann Garard (Region 5 - Illawarra), Keith Appleby (Region 7 - Far South Coast), Attila Kaszo (Conservation), Sanchia Glaskin (Recreational Fishing), Shirley Massey (Commercial Fishing), Nick James (Departmental Nominee).

Agenda items
1. Apologies
Peter Bolic (Region 1 – Far North Coast) resigned from the committee due to impending retirement; Peter Turnell (NSW DPI).

2. Confirmation of minutes from previous meeting
The committee ratified the outcomes as a true and accurate record of discussions from the 18th MERCMAC meeting, held 29 March 2011.

3. Business arising from the minutes
Nil.

4. Fisheries Resource Management Update
   a) Proposal to close Cronulla Fisheries Centre
   DPI advised the committee of the NSW Government’s decision to relocate staff at the Cronulla Fisheries Centre as part of the Government’s Decade of Decentralisation policy. The committee expressed some concern about the proposed relocation and the potential impacts on service delivery to charter boat operators.

   Motion: The Chair to send a letter to the Minister, advising of the committee’s concern about the proposed relocation. Moved: Attila Kaszo. Seconded: Sanchia Glaskin. Carried.

   b) Species Impact Statement for Southern Bluefin Tuna
   This species is currently listed as endangered in NSW waters (within 3nm). A preliminary environmental assessment to review available literature and data on the extent and impact of recreational fishing activities on SBT has been completed. The department is now engaging an external consultant (Cardno Ecology Lab) to prepare a Species Impact Statement (SIS) in accordance with the requirements of the Fisheries Management Act 1994 (the Act). Once developed, the SIS and draft Ministerial Order will be released for public consultation.

   The committee was advised that ACoRF recently endorsed a proposal for a recreational bag limit of 1 per person, a boat limit of 2 and a charter boat limit of 6. The committee was generally supportive of the bag limit of 1 per person and boat limit of 2. The boat limit may be restrictive on some larger recreational vessels. The charter boat limit of 6 was also generally well supported, with some support expressed for a more restrictive limit of 4 (i.e. double the recreational boat limit).

   Motion: The committee unanimously supports the proposed recreational and charter fishing arrangements for SBT (recreational bag limit of 1 per person, boat limit of 2 and a charter boat limit of 6). Moved: John Paton. Seconded: Roland Persson. Carried.
c) Grey Nurse Shark Protection in NSW
The department released the NSW DPI discussion paper on Grey Nurse Shark protection on 31 May 2011. Members of the public were invited to make a submission on the issues raised in the discussion paper and future management arrangements for the protection and recovery of grey nurse sharks in NSW. Submissions closed on Friday 26 August 2011.

A large number of submissions have been received and are currently being collated. Further details on the progress of this review will be provided when available.

d) Independent Scientific Audit of Marine Parks in NSW
The Minister recently announced the appointment of Associate Professor Robert Beeton AM from the University of Queensland as Chair of the Independent Scientific Audit of Marine Parks in NSW. The independent scientific audit panel will, among other things, determine the effectiveness of the existing marine park zoning arrangements in NSW.

The committee was advised that an ACoRF submission to the Independent Scientific Audit of Marine Parks in NSW was lodged on 30 September 2011. Mrs Ann Garard is the charter fishing boat representative on ACoRF and was a member of a working group that assisted in the development of the submission.

e) Independent review of commercial fisheries management, policy and administration
An independent review of commercial fisheries management in NSW is currently being conducted. This independent process will review the commercial fisheries policy, management and administration currently in place and recommend strategies that will enhance the long-term viability and sustainability of the industry. The review process will be transparent and robust consultation will be undertaken to ensure the best outcome is achieved for all stakeholders.

The committee was advised that $16 million will be allocated over the next 4 years for the restructure of the NSW commercial fishing industry (i.e. Commonwealth commercial fishing licences will not be part of the process).

Submissions to the review close on 30 October 2011. It was confirmed that ACoRF would be lodging a submission in regards to this review.

f) Review of Recreational Fishing Trusts
The previous audit of the Recreational and Charter Fishing Trusts was completed in 2006. Auditors were recently engaged to review the processes of the Recreational Fishing Trusts, including expenditure of recreational fishing licence funds. The current processes of the Expenditure Committees and ACoRF were found to be satisfactory and appropriate with no major risks relating to the Trusts identified.

g) Rock Fishing Safety
To assist with the implementation of the recommendations from the two recent Coronial Inquiries into a number of rock fishing related fatalities during 2009 and 2010 the Department has establish a working group with representatives from relevant recreational fishing organisations.

The Department provided an overview of the tender process to source an expert contractor to conduct the research program recommended in the Coronial Inquiries. Following the tender process, DPI engaged Surf Life Saving Australia (SLSA) on 10 November 2011 to undertake a comprehensive research review of rock fishing safety to address the Coronial recommendations, including assessing the effectiveness of all educational, enforcement and engineering rock fishing safety methods. DPI is holding regular meetings with SLSA to monitor progress of the research to ensure timely completion.

The Council discussed potential management action that may be required pending the outcomes of this research noting that it was likely to result in recommendations for the mandatory use of the most appropriate personal flotation device by rock fishers. The research review will also include a detailed risk analysis of the potential advantages and disadvantages of the wearing of the various types of personal flotation devices (available for use by rock fishers on NSW rock platforms) and
also determine the most appropriate personal flotation device(s) that should be carried by those involved in rock fishing. The study is expected to be completed by March 2012.

The committee suggested using Fishcare Volunteers as ‘guardians’ to advise rock fishers about safety issues, similar to the Recreational Fishing Haven guardian program, and also discussed alert systems and internet sites used to promote rock fishing safety. The committee suggested that charter boat operators could survey clients about how they find information on recreational fishing rules, to help improve the flow of information about rock fishing safety and other recreational fishing issues to the fishing community and general public. Members are encouraged to forward issues and ideas to DPI for consideration.

h) Australian Salmon

Australian Salmon were identified as a resource allocation issue in 2001. A closure North of Barrenjoey Headland was introduced that allowed approximately 100t to be retained by ocean haul fishers for use as own bait if the fisher also had an ocean trap endorsement. The Australian Salmon Working Group developed a proposal to increase this take to 220t, with a daily limit of 3t, as well as allow the sale of these fish to other commercial fishers for use as bait. ACoRF recommended the renewal of the existing closure without amendment.

5. Review of NSW Fishing Rules 2011/12

The department has collated and prepared detailed information on relevant issues that have been raised by fisheries stakeholder groups, Government agencies and the community since the finalisation of the previous review of fishing rules in 2007.

On 23 September 2011 DPI representatives of the Bag and Size Review Technical Working Group (the working group) met to discuss all issues identified for inclusion in the bag and size limit review. The next working group meeting, including external stakeholders, is proposed for mid-November.

An update on potential issues, options and proposals was provided. Species include: yellowtail kingfish, cobia, deep-sea species, mahi mahi, mangrove jack, marlin, larger tunas, grey and jackass morwong, Spanish and spotted mackerel, bream, flathead, luderick, tailor and trevallies. Other issues, such as default bag limit, combined/aggregate limit, fin clipping, mutilation of fish and cast nets were also discussed.

The committee expressed concerns over the use of electric reels, with the conservation representative totally opposed to their use as it is not believed to be ‘recreational fishing’. It was also confirmed that NSW GFA does not permit the use of electric reels. The committee also suggested a minimum legal length of 20cm for nannygai be considered.

6. Compliance update

The District Fisheries Officer, Sydney South, provided an update on compliance activities and priorities relating to the recreational and charter fishing sectors. During the 2010/11 financial year, for example, the Sydney South Fisheries Compliance team undertook 18 fisheries compliance programs and allocated 4% of its time to inspecting the activities of NSW licensed charter fishing businesses. The committee discussed issues relating to reporting illegal activities and the prosecution rates on such matters. Charter fishing boat operators are encouraged to formally report all allegations of unlicensed charter fishing and other illegal activities to ensure compliance are aware of each occurrence and determine what follow up action should be taken. A specific concern regarding alleged unlicensed charter fishing by interstate vessels at the Port Stephens Interclub was raised.

The committee was advised that Amie Hibberd, Fisheries Officer, Sydney South, has been appointed to the charter fishing compliance role, replacing Joe Wright who is relocating to Albury.

7. Recreational Fishing Enhancement programs

Heath Folpp provided the committee with an update on the expansion of the estuarine artificial reefs in Botany Bay and St Georges Basin, the newly deployed offshore artificial reef and the 2011/12 fish aggregating device (FAD) season.
Offshore artificial reef
The first offshore artificial reef was deployed in October off Sydney, approximately 1.2 nautical miles east of The Gap (South Head). The structure is located in 40m of water, is made from steel and weighs approximately 42 tonnes (dry weight). The highest point on the reef unit stands over 12m from the sea floor, coming within 26m of the surface. It is anticipated that the structure will provide a very productive focal point for a range of popular recreational species including yellowtail kingfish and snapper.

This is the first trial of purpose-designed offshore artificial reefs in NSW, with 3 years of dedicated monitoring to be conducted on the reef. Up to 4 individual reef units have been approved for deployment off Sydney, within the boundaries of the DPI Offshore Artificial Reef Reserve; an area of 400m x 1000m dedicated to recreational fishing and the artificial reefs. The reserve is the first of its kind in NSW.

FADs
The 2011/12 FADs season has commenced, with a total of 25 FADs to be deployed along the length of the NSW coast. Additional FADs at Wollongong, Trial Bay and South West Rocks are still being considered.

8. Charter Fishing Systems Reform Project and Industry Development update
Peter Brown, Manager Systems Reform, updated the committee on progress of the systems reform administration project, including the online administrative functions that are proposed to be available to the charter fishing sector in the future. FishOnline is being developed as part of the NSW DPI Commercial Fisheries Structural Adjustment Systems Reform Program. The program, which is scheduled to be completed in 2013 aims to:
- Support revised management arrangements arising from the structural adjustment program;
- Enable and support streamlined administrative arrangements;
- Implement more effective compliance arrangements; and
- Provide improved service delivery to the fishing industry.

Version 1 of the FishOnline system has recently been completed and the FisherDirect function is currently being tested with commercial fishing stakeholders. It will then be progressively rolled out across the commercial fishing industry from November 2011 and be supported by a comprehensive Change Management Program. Following this, the online-based system will be developed for the charter fishing sector. A new logbook program will be introduced as part of these developments.

Regarding progress of industry development issues, information on the proposed amendments to the Fisheries Management Act 1994 to: recognise the concept of charter fishing businesses and remove the requirement for a charter fishing boat to be licensed; and incorporate the charter fishing sector into the systems reform project, has been prepared and is awaiting development by the Parliamentary Counsel’s Office prior to consideration by the NSW Government to introduce the new legislation.

The committee was advised that a risk assessment is required to determine the impact of different industry development scenarios (e.g. transferring seats). The committee acknowledged that latent effort is the major factor affecting progress on the ability for operators to, for example, trade seats from one charter fishing business owner to another. It is believed that the removal of inactive latent effort from the industry must be addressed as a priority.

The committee discussed a possible option to offer to waive outstanding fees for owners of long term expired licences and licences that have been in abeyance for greater than 3 years, if the business owner provides written permission for the Minister to cancel the licence and permanently remove the licence authority from the industry. It was noted that many long term expired licences are non-transferable and not able to be on-sold, therefore, this option may appeal to some licence holders. Another option is the potential use of funds in the Charter Fishing Trust to buyout a number of active charter fishing businesses (i.e. licence currently issued) and permanently remove the licence authority from the industry. For example, a predetermined amount ($10,000 or $15,000) could be offered to business owners who accept the buyout.
The committee also supported the development of an approval declaration form for owners of long term expired licences to release details regarding their business and contact information to existing operators, to assist with the potential sale of transferable licences as part of this process.

**Motion:** To assist with the removal of latent effort in the charter fishing sector, the committee supports the cancellation of long term expired licences and licences in abeyance (greater than 3 years). A 90 day period should be provided for the business owner to pay all outstanding fees and be issued with the licence, with a “show cause” process available, prior to seeking cancellation of the licence. Moved: Sanchia Glaskin. Seconded: John Paton. **Carried.**

Concerns were raised regarding the lack of socio-economic information for the charter fishing sector. The committee considered Terrigal a suitable location to conduct a pilot study into the socio-economic importance of charter fishing in the area, if the proposed socio-economic study of recreational and charter fishing in NSW is delayed further.

9. Charter Fishing Logbook Monitoring Program
Following recommendations by MERCMAC at its previous meeting relating to the logbook monitoring program, stage 1 to improve the quality and level of reporting commenced in June to ensure all charter operators had been personally contacted prior to 1 July 2011. Operators were contacted to ensure they had received the information and understood what the revised reporting conditions were and to check they had the necessary supplies (logbooks, envelopes, ID kits) to complete these requirements. The initial written and telephone contact was followed up by letters to clarify other issues relating to released fish and fish codes.

A range of logbook data reported by operators for the 2010 calendar year, relating to species catch and effort information, was presented and discussed. The committee requested the information be distributed to all operators. It was confirmed that copies of this information will be included in the upcoming edition of the Charter Chatter Newsletter.

10. Charter Fishing Trust Fund
An overview of the Trust, including revenue and expenditure during 2010/11, as well as the predicted income and approved budget allocations for the 2011/12–2013/14 financial years, was provided at the meeting. The balance of the Trust as at 30 June 2011 was $328,776. The projected balance of the Trust at the end of 2013/14, based on current income estimates and approved expenditure, is $213,512.

11. Out of Session Items
*Recreational bag limit for four species of dogfish*
Four species of upper-slope dogfish are considered to be at high ecological risk from the impacts of fishing – Harrison’s, Endeavour and Southern Dogfish, and Green-eye Spurdog. ACoRF previously supported the introduction of a zero bag limit for dogfish species by recreational fishers, as opposed to the possibility of a recreational fishing closure being introduced in the area. The proposed zero bag limit was supported by the committee. It was mentioned that Endeavour dogfish are encountered by charter fishers off Sydney and therefore limited fishing access should be considered for the species. The restrictions are proposed due to the group of species collectively considered to be at high ecological risk from the impacts of fishing.

12. Next meeting
TBA.