

10 October 2022

Proposed amendment to commercial fishing regulations

Consultation paper 2

Estuary General and Estuary Prawn Trawl fisheries – permitted species

Overview of fisheries

Estuary General: The Estuary General Fishery is a diverse multi-species, multi-method fishery that may operate in 76 of the 140 or so estuaries in NSW (tidal waters only) subject to marine park, aquatic reserve, and fisheries spatial controls. Various methods are used to take species including Sea Mullet, Luderick, Yellowfin Bream, School Prawn, Blue Swimmer Crab, Dusky Flathead, Sand Whiting, Pipi, Mud Crab and Silver Biddy. Catch in this fishery is managed using quotas (catch, effort, gear), adjusting numbers of endorsements (or fishers) on a regional and as-needs basis or species-specific controls.

Estuary Prawn Trawl: Fishers in the Estuary Prawn Trawl Fishery use prawn trawl nets to target School Prawns, Squid spp. and sometimes Eastern King Prawns in three NSW estuaries; the Clarence River, Hawkesbury River, and Hunter River. Non-target (or byproduct) species are also sometimes taken and contribute to the catch. Byproduct species and the quantities taken vary between estuaries. Catch in this fishery may be managed by adjusting numbers of endorsement holders (or fishers) on an estuary and as-needs basis or species-specific controls.

Current arrangement

Estuary General: Only certain species may be taken in the Estuary General Fishery. The species that may be taken are designated as primary species, key secondary species, or secondary species.

Estuary Prawn Trawl: Only certain species may be taken in the Hunter and Hawkesbury Rivers. The species that may be taken are designated as target or byproduct species.

These arrangements came into effect on 5 February 2007 when these fisheries became share management fisheries, following environmental assessment. When the permitted species lists were developed, the species that were included covered most of the reported catch in the fishery or estuary concerned.

Restricting the species that may be taken in a fishery stops the fishery targeting new species and helps to keep monitoring, research and reporting costs affordable for fishers.

Greater investment is made monitoring, researching, and reporting on primary species (Estuary General) and target species (Estuary Prawn Trawl) than the other categories of species.

Proposed change

Estuary General: Allow the species in Attachment A to be taken in the Estuary General Fishery, by including them as secondary species in the permitted species list for this fishery.

Estuary Prawn Trawl: Allow incidental catches of the species in Attachment B in the Hunter River and Attachment C in the Hawkesbury River, by including them as byproduct species (not target species) and setting up relevant regulations to support this.

Consideration has been given to removing the permitted species lists or converting them into prohibited species lists, however, it has been decided they should remain, and consideration given to adding species of interest.

Commercial catch records demonstrate very low catches of these species in these fisheries or estuaries prior to the introduction of these rules.

The species of interest are not of conservation concern and are not key recreational species.

What is the problem being resolved?

Despite best attempts to optimise the selectivity of commercial fishing gear, non-target species are sometimes taken. Requiring species that are sustainable and not key recreational species to be discarded is an unnecessary restriction that:

- Result in the discarding of dead fish, which is of little or no benefit to fisheries resources, other stakeholders, or the profitability of the industry
 - Concerns commercial fishers who consider it a waste of a valuable resource
 - Is not in line with Ecologically Sustainable Development, which requires the effective integration of social, economic, and environmental considerations
 - Impose a burden on fishermen and Government through maintaining, complying with, and enforcing rules that do not benefit fisheries resources or the community
-

Outcomes

The proposed change would deliver the following outcomes and benefits:

- Social and wellbeing benefits (fishers would not be forced to discard dead fish)
- Reduced waste (discards) and improved business efficiency and profitability
- Improved consistency with other fisheries where such arrangements do not exist
- Red tape reduced and reduced burden on government
- No discernible impact on fisheries resources or the environment

Attachment A

Proposed 'secondary species' for the Estuary General Fishery

Species
Wirrah
Diamond Fish
Oxeye Herring
Giant Herring
Big Eye Trevally
Giant Trevally
Brassy Trevally
Common Pony Fish
Barred/Spotted Grunter
Giant Salmon Catfish
Eastern Shovelnose Ray
Moses Perch
Flounder (Greenback)
Queenfish
Stargazer
Sweetlip (Emperor)
Sweetlip (unspecified)
Slatey Bream
Rock Cod (Bird Wire/Long Fin)
Black Spotted Cod

Attachment B

Proposed byproduct species for the Estuary Prawn Trawl Fishery (Hunter River)

Species
Silver Biddies
Carp
Herring

Attachment C

Proposed byproduct species for the Estuary Prawn Trawl Fishery (Hawkesbury River)

Species
Cuttlefish
Southern Calamari
John Dory
Giant Boarfish
Striped Scat
Diamond Fish
Tripletail
Fantail Mullet
Catfish (estuary)
Catfish (striped)
Catfish (unspecified)
Trevally (black)
Tounge Sole
Stingrays
Pike
Coral Crab
Common Pike Eel
Eastern Fiddler Ray
Eastern Shovelnose Ray
Herring

© State of New South Wales through Regional NSW 2022. The information contained in this publication is based on knowledge and understanding at the time of writing October 2022. However, because of advances in knowledge, users are reminded of the need to ensure that the information upon which they rely is up to date and to check the currency of the information with the appropriate officer of the Regional NSW or the user's independent adviser.