

## Southern Fish Trawl Transition Working Group (SFTTWG)

### Meeting Outcomes

15-16 August 2017

#### Members:

<b>Chair</b>	Dr Bruce Mapstone—Independent Chair
<b>AFMA:</b>	Brigid Kerrigan
<b>NSW DPI:</b>	Doug Ferrell
<b>Industry:</b>	Richard Bagnato—NSW SFT Paul Bagnato—dual endorsed: NSW SFT & Cwlth CTS Wayne Cheers—Cwlth CTS
<b>Industry Associations:</b>	Simon Boag—SETFIA Tricia Beatty—PFA

#### Executive Officers:

Veronica Silberschneider—NSW DPI (15/8 only)  
Cate Coddington—AFMA

#### Item 1 – Adoption of Agenda and Terms of Reference

##### 1.1 Members NOTED that:

- the SFTTWG is an advisory body, that advice will be considered by AFMA and NSW DPI as recommendations, and will not guarantee the final model for transition;
- attendees other than the Chair are representative of their proponents, will keep their constituents informed as required, will declare material conflicts of interests if same arise, and act in good faith;
- there is significant history in terms of negotiations to integrate the SFT into the SESSF and noted the issues that had impeded past progress.

##### 1.2 Members AGREED:

- to the agenda, terms of reference, and rules of operation as described in the Handbook for Members and Code of Conduct documents previously provided to members;
- to commit to attending meetings and that there are to be no alternate or deputy members;
- that the flow of information to the ministers from the SFTTWG is via NSW DPI and AFMA and is separate to the CommFish (Commercial Fishing NSW Advisory Council) process;
- it will be important to keep the Southern Fish Trawl Restricted Fishery CommFish member up-to-date with outcomes from the SFTTWG and feed any issues back into the SFTTWG.

#### **Action items**

1. AFMA and NSW DPI to provide presentations from the meeting, handouts, a summary of the work plan prepared by AFMA & DPI, and other relevant documents to SFTTWG members.
2. NSW industry SFTTWG members to liaise with the CommFish NSW-SFT member as appropriate.

## Item 2 – SFTTWG function operation and administration

### 2a Overview of the process for integrating the SFT into the SESSF

- 2.1 Members DISCUSSED the proposed timeline (implemented by 1 May 2019) for undertaking the transition of the SFT fishery into the SESSF and consultation arrangements, including considerations for port visits with SFTTWG member participation.
- 2.2 Members AGREED that the Marine Estate Management Authority should also be included in the stakeholder list.

### 2b SFTTWG reporting and administration

- 2.3 Members AGREED:
  - to have their names published on the NSW DPI website on the SFTTWG page;
  - for their email addresses to be shared amongst the group;
  - That members need to be vigilant in declaring conflicts of interest to be recorded in Conflict of Interests Register for the SFTTWG.

#### **Action items**

3. AFMA to rearrange the consultation and SFTTWG meeting schedule to enable the third meeting of the SFTTWG to be held after the major consultation phase. ([Attachment 1](#)).
4. PFA, SETFIA, AFMA and NSW DPI to work out the best method to consult with the maximum number of relevant stakeholders.
5. PFA and SETFIA to assist with contacting their stakeholders.
6. All members to provide Veronica Silberschneider with a list of their conflicts of interest prior to second SFTTWG meeting in October.

## Item 3 – overview of the fisheries

- 3.1 Members NOTED the presentations provided by NSW DPI and AFMA that provided background information about the NSW SFT Fishery and the Commonwealth SESS Fishery.

## Item 4 – Access rights for fishers

- 4.1 Members NOTED that:
  - quota is an important asset in the fishery and of far greater value than the boat Statutory Fishing Rights (SFRs);
  - currently NSW fishing industry representatives prefer the increased security of access, and property rights, provided by a vessel SFR over a vessel permit for accessing NSW coastal waters (within 3nm of the coast).
- 4.2 Members DISCUSSED the parameters and options available for transitioning NSW operators into the SESSF (see [Attachment 2](#)), including:
  - ensuring that future arrangements are as simple (low cost and understandable) as possible;
  - issuing boat SFRs versus permits to fish within NSW Coastal Waters;
  - the substantial increase in management fees payable by NSW operators when they enter the SESSF, noting, however, that these costs are comparable to other NSW quota managed fisheries, including the NSW lobster fishery, and that, whilst expensive, quota SFRs also provide value and security.

- the current number of people holding the different types of endorsements;
  - transferring existing versus creating new Commonwealth South East Trawl Sector (CTS) boat SFRs for operators that currently only hold SFT endorsements;
  - models for acquiring existing SFRs for transfer to SFT fishers who currently don't own an SFR;
  - minimising inequity in benefits across different stakeholders (for example, issues if providing NSW SFT only fishers with CTS boat SFRs);
  - ensuring that there is a smooth transition for industry with fishers operating in NSW waters able to continue fishing during the transition phase.
- 4.3 Members AGREED that further clarity is needed to resolve which type of access right (permit, SFR, restricted SFR) is most appropriate to allow continued fishing within NSW Coastal Waters, including information about what is possible from AFMA's point of view, what gear or vessel regulation will be necessary, and financial options to purchase CTS boat SFR's if appropriate.
- 4.4 Members OUTLINED the initial preferred option for access to waters by fishery operators (see proposed transition package at [Attachment 3](#)):
- for all fishers who currently fish in NSW to end up with continued access to NSW coastal waters and potentially Commonwealth fishery waters (mechanism to be determined), noting that the proposed transition package provides additional access for NSW only operators (n=7-8<sup>1</sup>) into Commonwealth waters, which may be considered inequitable;
  - current Commonwealth-only operators not be given access to NSW waters (within 3nm).

#### **Action items**

7. NSW DPI and AFMA to work together to determine the exact number of SFT only endorsed operators and the number dual endorsed operators affected by the transition.
8. NSW DPI to clarify the availability and purpose of the \$500 000 earmarked to support SFT reform and whether that fund can be used to buy SFRs. The information is to be provided to the SFTTWG prior to the next meeting.
9. AFMA to further investigate the types of access rights that are possible considering regulatory needs of AFMA and NSW and the current NSW SFT authority holder preference for receiving a boat SFR over a fishery permit.

#### Item 5 – Principles of allocation

#### Item 6 – Process for determining TACs and role of species catch data

- 5.1 Members NOTED that:
- the SFTTWG does not have a direct role in the IAP process that will determine the allocation of quota to individual operators;
  - NSW DPI issued an investment warning related to the transition in April 2017;
  - SESSF season runs from 1 May to 30 April, meaning that the last year of fishing to be considered in the allocation period should be the 2015-16 SESSF season;
  - other NSW fisheries (e.g. Ocean Trap and Line Fishery, Ocean Trawl – Fish Northern Zone) will be provided with NSW shares for some species that are also SESSF quota species;

<sup>1</sup> Exact number of NSW only operators to be confirmed.

- AFMA will be undertaking a process to determine the number of quota units (for the relevant species landed in the SFT) for provision to current NSW operators, the determination of which will not impact upon any allocation already determined for current Commonwealth concession holders.
- 5.2 Members AGREED that further information is needed to determine whether the level of discarding by NSW SFT operators, as informed by the two years of observer data, has been of a magnitude that would change significantly the proportion of the RBC allocated to Commonwealth and NSW operators. This issue will be discussed at the next meeting and a decision made then about whether the issue is material or minor and what, if any, recommendations are appropriate accordingly.
- 6.1 Members NOTED the summary AFMA provided about the annual TAC-setting process, including:
- the SESSF TAC is the Recommended Biological Catch (RBC) derived from the stock assessment minus State catches, and Commonwealth and State discards, and any other relevant catches removed from the fishery (e.g., catch taken in the biennial fishery independent surveys);  
in general recreational catch is not taken into account during the TAC setting process, with the exception of elephant fish recreational catch;
  - SERAG applies the discard estimate for commonwealth boats operating in the SESSF derived from the observer program (ISMP: Independent Scientific Monitoring Program) to estimate both Commonwealth and State discard rate by species because NSW DPI has not been able to provide NSW-specific discard data;
  - the SERAG estimate of overall discard for each species group for each year is a running average derived by calculating the weighted average discards for the last four years;
  - the assessment model would need to be rerun to consider the effects on the RBC of additional discards that haven't been taken into account historically during TAC setting, at an assessment cost (net of overheads) of approximately \$73K (Tier 1 fully integrated stock assessment);
  - data from a recent NSW observer project conducted over 2 years will provide empirical information about how much has been discarded due to NSW management controls including trip limits and the differences in size limits of flathead and silver trevally between the two jurisdictions;
  - Catches of some species (e.g., ling and gemfish) by other NSW fisheries not transitioning to the SESSF will need to be taken into account when offsetting quota units to SFTF operators under Commonwealth management.

*[Post-meeting advice from AFMA: The CSIRO is contracted each year to provide data analysis and stock assessments for the 32 stocks or species groups that are under quota in the SESSF. The SESSFRAG and SERAG are the assessment groups that review the stock assessments and provide advice and information to AFMA for the purposes of setting the TAC's.]*

- 6.2 Members DISCUSSED the:
- information provided by AFMA on the process for setting the total allowable catch for the SESSF;
  - use of the observer information provided by NSW DPI.

### **Action items**

10. *AFMA and NSW DPI, in consultation with CSIRO, to resolve what level of detail is available from catch information provided to CSIRO by NSW, specifically regarding whether it is possible to identify the separate fisheries and area(s) from which that catch arises.*
11. *AFMA and NSW DPI to present to SFTTWG at its next meeting clear articulation of the data provided to AFMA for TAC setting and whether it is possible to delineate catches among NSW fisheries.*
12. *NSW DPI to provide AFMA with observer information for NSW SFT state boats.*
13. *NSW DPI to present a summary of the observer recorded discard data to the next meeting of the SFTTWG; including details of the amount of discards attributable to trip limits, size limits, and, if possible, fisheries other than the SFT.*
14. *NSW DPI to report back to the SFTTWG with information in the east and west line and trap fisheries operating in NSW waters and catches of Commonwealth quota-managed species.*
15. *AFMA to provide information to the SFTTWG regarding the last five years of RBCs and TACs and the proportions of the RBC in each year that have been identified as NSW catch and discard.*

## **Item 7 – Management within NSW waters**

### **7.1 Members DISCUSSED:**

- that area closures within NSW coastal waters are being discussed by other stakeholder groups, including recreational fishers, in association with the SFT transition and that there are merits of putting forward viable options to address broader stakeholder concerns;
- the area closure options outlined by NSW DPI within NSW waters (see [Attachment 4](#));
- closures that are already in place are already impacting operators and that further closures in NSW coastal waters will have consequences for commercial fishers;
- that it may be possible to identify a patchwork of areas that do not cede productive trawl grounds where recreational fishers are unlikely to fish, noting that there may be other factors that come into play which might negate this possibility, such as implementation of Marine Parks.

### **7.2 Members NOTED that:**

- the implementation of any closures in NSW coastal waters is largely a State concern and not a Commonwealth concern, with the Commonwealth concerns extending primarily to the economic performance of the fishery and ensuring that the fishery is viable and that operators can fish and catch quota;
- the boundaries of any waters that will be closed to fish trawl fishing will be reflected in the Offshore Constitutional Settlement agreement as these areas will remain under NSW control and will be excluded from transfer to Commonwealth jurisdiction;
- it is important to develop a sensible set of recommendations about closures that reflects the SFTTWG's preferences, recognises the broad issues from other stakeholders, is sensitive to current and future commercial effort, and is mindful of ensuring viable fishing businesses;
- NSW government will no longer have a direct role in fishery decisions for those fisheries transitioned to Commonwealth jurisdiction but will retain jurisdiction in relation to other activities within NSW Coastal Waters that might affect the transitioned fisheries and require discussion with the Commonwealth about such affects;

- The consultation paper that is released for broader stakeholder consultation will contain more than just the one option preferred by the SFTTWG.

**Action items**

16. NSW DPI, PFA, Dual and NSW only industry members to come back to the working group with recommendations for the Working Group to consider at their October meeting.

Including:

- a. NSW DPI will consult with relevant people regarding the need for the closures;
- b. NSW DPI, PFA, Dual and NSW only industry working group members to identify potential areas within NSW coastal waters that could be suitable for closure, noting that they may not be needed if closures are deemed unnecessary.

17. NSW DPI to disseminate the closure options table to the SFTTWG attendees (Attachment 4).

**Item 8 – Differing management arrangements**

8.1 Members DEVELOPED and provided their support for the proposed transition package at Attachment 3.

8.2 Members DISCUSSED:

- the main differences in management between the two jurisdictions that might impact operators (see Attachment 5);
- how other NSW fisheries also might interact with SESSF quota species, including the Ocean Prawn Trawl Fishery, and the Ocean Trap and Line Fishery.

8.3 Members NOTED that:

- management of the transition will require initially issuing permits to all NSW SFT fishers to enable them to continue fishing in NSW coastal waters and Commonwealth waters (for current NSW SFT only fishers if relevant), with permits subsequently being replaced by SFRs where possible;
- species such as octopus, calamari and small sized fish, including whiting, are targeted by NSW inshore operators and state fisheries operators currently do not use BRDs as it prevents catching these species;
- different gear may need to be allowed to enable operators in NSW coastal waters to continue to target the species above, the gear potentially comprising
  - 90mm single twine mesh cod-end (as per SESSF trawl conditions),
  - 115mm wings and belly (as per SESSF Trawl conditions), and
  - 90mm double twine mesh without a BRD (different to SESSF trawl conditions);
- AFMA has other responsibilities aside from enabling operators to flexibly and efficiently fish for a target species, including ensuring environmental stewardship, for which SESSF fishery stakeholders work cooperatively with AFMA—removing BRD conditions is likely to be considered a backward step for bycatch and discard management;
- boat size may be an issue for other non-fishery stakeholders within NSW Coastal Waters but is not a limit provided for under SESSF management arrangements and might need to be limited under permit;
- Current NSW maximum allowed vessel length is 20 m, with exemptions for some vessels
- There was discussion that permitting boats up to 25 m in NSW waters would simplify management as vessel-specific length exemptions would no longer be required;
- special gear and BRD requirements also could be limited by permits (conditions on permits) or potentially by an area-specific SFR (AFMA to advise);

- trip limits cease to be an issue when operating with a VMS and under the Commonwealth quota system;
- size limits for flathead and other species will be those set under Commonwealth legislation once the transition has occurred;
- Commonwealth operators require an AFMA approved Seabird Management Plan and whilst trawling deploy one of three approved devices (dan buoy with zero offal discharge, bafflers, or sprayers);
- SETFIA offered assistance with implementing seabird management requirements.

#### **Action items**

18. *NSW SFT representatives to consult with other NSW industry operators about parameters needed for gear used to fish for eastern school whiting and provide the information back to the SFTTWG.*
19. *AFMA to consider mechanisms that may enable different gear to be used for targeting whiting and provide information back to SFTTWG, including:*
  - a. *Adapting current licence conditions across the fishery;*
  - b. *Adapting current licence conditions across the fishery but permit the BRD to be covered in NSW coastal waters;*
  - c. *Introducing new gear parameters for targeting whiting in NSW coastal waters only.*
20. *NSW DPI to review:*
  - a. *Other non-quota species size limits in the NSW fishery and provide information to the SFTTWG;*
  - b. *Any issues with other NSW regulations or stakeholders that might arise when moving SFT operations to Commonwealth requirements for size limits.*

### Item 9 – Communications

- 9.1 Members NOTED that the meeting summary will be provided to meeting attendees as soon as possible and will be published on the NSW DPI website.

#### **Action items**

21. *AFMA to distribute the meeting summary to members by Friday, 25 August 2017, members will provide comment by Friday, 1 September 2017.*
22. *AFMA and NSW DPI to provide all material circulated at the meeting to SFTTWG members electronically.*
23. *AFMA to circulate a 'meeting statement' with the main outcomes from the meeting for consideration by members for publication on social media as appropriate.*

### Item 10 – Other Business

- 10.1 Members AGREED that all information provided to the SFTTWG is to be treated sensitively to ensure open and frank discussions in the group, with information disseminated only when formally agreed by the SFTTWG, noting, however, the need for SFTTWG members to seek feedback from their constituencies on specific matters (e.g., gear requirements).

**Action items**

24. *All members to consider operational and regulatory items that need to be in place by the implementation date of 1 May 2019 and those that might be implemented most effectively after 1 May 2019.*

**Item 11 – Next meeting**

- 11.1 Members AGREED that the:
- next meeting will be held at the Sydney Fish Markets on 26-27 October 2017 (Thursday and Friday);
  - third, and final, meeting will be held on Friday 16 February 2018 in either Canberra or Sydney, after consultation with other stakeholders about draft recommendations.
- 11.2 Members AGREED that the following agenda items should be discussed at the next meeting:
- the proposed transitional package, with focus on issues that need resolution to make the package work;
  - industry led investigation into gear needs in NSW coastal waters;
  - appropriate staging of transitional arrangements during the periods preceding and following the formal transition date of 1 May 2019;
  - discussion of recommended biological catch and how this is to be divided, including consideration of NSW observer data regarding discarding;
  - potential closures in NSW coastal waters;
  - broader stakeholder consultation;
  - any other issues that have arisen in the interim.

**Action items**

25. *Paul Bagnato to book a meeting room at the Sydney Fish Markets.*

**Timetable for SFT Transition and SFTTWG processes (subject to change)**

		Government processes	SFTTWG	Stakeholder consultation	Quota allocation process	
2017	August	Undertake background tasks	Meeting 1			
	September					
	October			Meeting 2		
	November			Draft WG report	Initial information to stakeholders	
	December				Consultation with stakeholders	
2018	January				including port visits	Independent Allocation Panel considerations
	February			Meeting 3	Review consultation outcomes	
	March			Final WG report		
	April		Determine model used			
	May				Port visits informing about outcomes	
	June					
	July					
	August	OCS signed				
	September					
	October					
	November				Nominal allocations	
	December	Implement legislative change				
2019	January	(including dissolving NSW				
	February	entitlements and creating				
	March	Commonwealth entitlements)		Education to ensure a smooth transition		
	April					
	May	Season begins				
	June					

Key properties of relevant existing NSW and Commonwealth fishery endorsements

	NSW SFT – fishery endorsement	Cwlth SESSF – Trawl Boat SFR	Cwlth SESSF - Permit	Cwlth SESSF – Quota SFR
<b>Issuable</b>	n/a	A boat SFR can be granted to an ‘eligible person’ to provide the right to use a boat in a managed fishery for purposes stated in a plan of management	AFMA can grant permits to fish in a specified area or fishery	Quota SFR can be granted to an ‘eligible person’ providing the right to take a particular amount of fish of a particular species or type from, or from a particular area in, a fishery
<b>Process of granting</b>	n/a	If SFRs are created in the fishery current NSW concession holders will need to qualify as ‘eligible persons’ for purposes of s26 of the FMA. There will need to be a transition period where the operator holds a permit and a notice period will have to be undertaken SFRs can also be purchased and transferred to new operators	Permit can be granted to a person, on application and with payment of prescribed fee, under section 32 of the FMA.	Under the current SESSF management plan, a fishery concession (boat SFR or permit), which provides for quota units to be taken, is needed for a person to be eligible to be issued with quota SFRs.
<b>Management arrangement</b>	NSW – <i>Fisheries Management (General) Regulation 2010, Fisheries Management Strategy for the Ocean Trawl Fishery 2007</i>	Cwlth – <i>Southern and Eastern Scalefish and Shark Fishery Management Plan 2003</i>	Cwlth – <i>Southern and Eastern Scalefish and Shark Fishery Management Plan 2003</i>	Cwlth – <i>Southern and Eastern Scalefish and Shark Fishery Management Plan 2003</i>
<b>Leasable</b>		Can be leased	Cannot be leased	Can be leased
<b>Permanently Transferable</b>	Can be permanently transferred	Can be permanently transferred	Can be permanently transferred (and also be made non-transferable)	Can be permanently transferred
<b>Compensable on cancellation</b>	No - As a restricted fishery the endorsement may be terminated, by revoking its declaration.	No compensation payable if it is cancelled, ceases to have effect or ceases to apply to a fishery. (S22.3.e)	No compensation is payable if it is cancelled, ceases to have effect or apply to a fishery (S32.5.e)	No compensation is payable if it is cancelled, ceases to have effect or ceases to apply to a fishery. (S22.3.e)
<b>Area</b>	Can be limited to a certain areas under relevant legislation	Can be issued across the SET fishery	Can be limited to a particular area as a new sector – NSW Coastal Waters	Generally eligible across the SESSF (excluding the GAB sector)
<b>Charges</b>	Must pay an annual contribution towards the cost of managing the fishery	Must pay an annual contribution towards the cost of managing the fishery	Must pay an annual contribution towards the cost of managing the fishery	Must pay an annual contribution towards the cost of managing the fishery
<b>Longevity</b>	Remains in force (except while suspended or after being cancelled) for specified period on endorsement, and may be renewed.	In force for the length of the Management Plan unless they are cancelled, the MP is revoked or they cease to apply to a fishery	Unless renewed these will expire	In force for the length of the Management Plan unless they are cancelled, the MP is revoked or they cease to apply to a fishery
<b>Cancellation through jurisdictional change</b>	NSW will need to cancel the endorsements and close the fishery	If Commonwealth management is retracted over NSW coastal waters SET SFR operators will still be able to fish in Commonwealth waters as the area of operation can be restricted.	If Commonwealth management is retracted over NSW coastal waters the permits will not be renewed, i.e. lapse	If Commonwealth management is retracted over NSW coastal waters quota SFRs will endure in the area of the SESSF

Options for area access and fishing rights management of current SFT and CST fishers under Commonwealth management

	Options			
Current situation	1	2	3	4
NSW endorsement	NCW Permit / SFR (NSW coastal waters)	NCW permit / SFR (NSW coastal waters)  & SESSF SFR – Trawl (Commonwealth waters)	SESSF SFR – Trawl (Commonwealth waters)	SESSF SFR – Trawl (Commonwealth and NSW coastal waters)
NSW endorsement & SESSF SFR – Trawl	NCW permit / SFR (NSW coastal waters)  & SESSF SFR – Trawl (Commonwealth waters)			
SESSF SFR – Trawl	SESSF SFR – Trawl (Commonwealth waters)			
Area of operation	The area of operation for the operators remain consistent	Area will remain consistent for most operators. Those who hold only a NSW endorsement will also be able to access Commonwealth waters	This would reduce the area for fishers to operate as NSW coastal waters would be closed.	This would provide access to operators in the fishery to Commonwealth waters and accessible NSW coastal waters.

## SFTTWG Draft Transition Package (as at 18/08/2017)

Current Access Right	Proposed Access Right when integrated into the SESSF
SFT endorsement (to operate only within NSW coastal waters i.e. within 3nm of low water)	New South Wales Coastal Waters (NCW) Permit or NCW SFR <sup>1</sup> and CTS Boat SFR <sup>2</sup> (extending the area of operation into Commonwealth waters)
SFT endorsement and CTS Boat SFR	NCW Permit or NCW SFR <sup>1</sup> and CTS Boat SFR (retaining their existing access)
CTS Boat SFR	CTS Boat SFR (retaining their existing access)

Proposed Conditions
When operating under NCW permit/SFR maximum vessel length of 25m. The purpose of limiting vessel length within 3nm is to address concerns from NSW recreational fishers, coastal communities, and environmental groups.
Fishing gear: when operating under NCW permit/SFR to target school whiting only use current CTS otter board gear with BRD covered up/or non-operational
MLS for all Flathead species <sup>3</sup> : 280mm TL
All vessels to operate under Seabird Management Plan with one of 3 approved seabird mitigation devices.
All vessels to operate under VMS, use E-Logs to submit catch and discards, to provide quota lease and sale price data as required by AFMA.
All other SESSF Trawl boat SFR conditions will apply to the NCW Permit/SFR.

1. Pending advice from AFMA that an additional class of SFR can be created under the SESSF Management Plan.
2. CTS Boat SFR's potentially to be acquired from the existing pool of CTS Boat SFR's: AFMA will not be creating new CTS Trawl boat SFRs. SFTTWG estimate that 6-8 CTS SFR's are required. Potential mechanisms for acquiring those boat SFRs post 1 May 2019 is to be investigated. In the interim AFMA would issue Permits to provide immediate access to the SESSF on 1 May 2019, and these permits would be cancelled once the operator has been issued a CTS Boat SFR.
3. Flathead species: include those currently under the SESSF flathead quota category: toothy flathead (*Platycephalus aurimaculatus*); tiger flathead (*P. richardsoni*); southern sand flathead (*P. bassensis*); bluespotted flathead *P. caeruleopunctatus*); and southern bluespotted flathead *P. speculator*).

**AFMA advises (18/08/2017: post SFTTWG meeting 1)**

4. Restrictions on vessel length operating inside 3nm: Commonwealth policy precludes vessel length restrictions being placed on boat SFR's. Regulation of vessel size would need to be through conditions attached to the NCW Permit.
5. Additional class of SFR (i.e. NCW SFR) can be created under the SESSF Management Plan but will not enable the restriction of boat size.

**Potential area closure options presented to the SFTTWG by DPI NSW**

These options relate to additional closures proposed as part of the integration of the NSW Southern Fish Trawl Fishery to the Southern and Eastern Scalefish and Shark Fishery. All current closures will remain in force. Future closures may be implemented in line with Government policy.

Option	Pros	Cons	Issues
<p><b>No additional closures</b></p> <p>➤ Fish trawling will be permissible from NSW ocean waters from the natural coastline south of Barrenjoey Head.</p>	<ul style="list-style-type: none"> <li>• Continued access to inshore trawl grounds.</li> <li>• Continued access to inshore fish species.</li> </ul>	<ul style="list-style-type: none"> <li>• Continued social conflict issues – coastal community representations to the Minister/Dept on local negative impacts.</li> <li>• Potential for increased fishing pressure on inshore trawl grounds.</li> <li>• Potential for increased conflict with the NSW Ocean Trawl Inshore Prawn Fishery.</li> </ul>	<ul style="list-style-type: none"> <li>• Access to inshore waters by larger Commonwealth vessels.</li> <li>• Sustainability issues especially for non-quota fish species.</li> <li>• Potential for increased negative impacts on grounds.</li> </ul>
<p><b>‘Patchwork’ closures</b></p> <p>➤ A series of area closures in inshore waters where fish trawling would be prohibited.</p>	<ul style="list-style-type: none"> <li>• Continued access to some inshore trawl grounds.</li> <li>• Continued access to inshore fish species.</li> </ul>	<ul style="list-style-type: none"> <li>• Compliance issues – complicated for fishers to keep track of where they can/can’t fish.</li> <li>• Compliance issues – difficult to enforce.</li> <li>• Legislation becomes complex.</li> <li>• Continued social conflict issues – coastal community representations to the Minister/Department on local negative impacts.</li> <li>• Potential for increased fishing pressure on some inshore trawl grounds.</li> <li>• Potential for increased conflict with the NSW Ocean Trawl Inshore Prawn Fishery.</li> </ul>	<ul style="list-style-type: none"> <li>• Access to inshore waters by larger Commonwealth vessels.</li> <li>• Sustainability issues especially for non-quota fish species.</li> <li>• Potential for increased negative impacts on grounds.</li> </ul>
<p><b>1 nautical mile</b></p>	<ul style="list-style-type: none"> <li>• Continued access to some inshore</li> </ul>	<ul style="list-style-type: none"> <li>• Potential for increased fishing</li> </ul>	<ul style="list-style-type: none"> <li>• Access to inshore waters by</li> </ul>

Option	Pros	Cons	Issues
<p>➤ Fish trawling would not be permissible in ocean waters from the NSW natural coastline out to 1nm south of Barrenjoey Head.</p>	<p>trawl grounds.</p> <ul style="list-style-type: none"> <li>• Reduced fishing pressure on some inshore grounds – environmental benefits.</li> <li>• Continued access to inshore fish species.</li> <li>• Reduced social conflict issues – activity occurring further off the coast so less visible.</li> <li>• Reduced compliance complexity for both fishers and government.</li> <li>• Reduced legislation complexity.</li> <li>• No conflict with the NSW Ocean Trawl Inshore Prawn Fishery within 1nm.</li> </ul>	<p>pressure on some inshore trawl grounds.</p> <ul style="list-style-type: none"> <li>• Potential for increased conflict with the NSW Ocean Trawl Inshore Prawn Fishery.</li> </ul>	<p>larger Commonwealth vessels.</p> <ul style="list-style-type: none"> <li>• Sustainability issues especially for non-quota fish species.</li> <li>• Potential for increased negative impacts on grounds.</li> </ul>
<p><b>3 nautical miles</b></p> <p>➤ Fish trawling would not be permissible in ocean waters from the NSW natural coastline out to 3nm south of Barrenjoey Head.</p>	<ul style="list-style-type: none"> <li>• Reduced social conflict issues – activity occurring further off the coast so less visible.</li> <li>• Reduced compliance complexity for both fishers and government.</li> <li>• Reduced legislation complexity.</li> <li>• No conflict with the NSW Ocean Trawl Inshore Prawn Fishery.</li> <li>• Reduced fishing pressure on inshore grounds – environmental benefits.</li> </ul>	<ul style="list-style-type: none"> <li>• No access to inshore trawl grounds – increased costs to fishing.</li> <li>• No access to inshore fish species.</li> </ul>	

## Key management arrangements current in the SFT and SESSF fisheries

## SESSF quota species

	SESSF/SET management rule	SFT management rule
Eastern gemfish	Certain rules apply for notification to AFMA if Gemfish caught and retained north of latitude 36° 45' S from 1 June to 30 September. Managed under the Eastern Gemfish Stock Rebuilding Strategy 2015	Trip limit– 50kg
Flathead	Flathead must be larger than 280mm in length – point of snout to tip of tail (TL)	Minimum size (TL) Bluespotted/sand flathead and tiger flathead – 33cm Trip limit - 200 kg
Jackass morwong		Minimum size (TL) – 30cm Trip limit - 350kg
Pink ling	In waters east of 147°E the holder must not retain more than either: <ul style="list-style-type: none"> <li>• 25% of their quota of pink ling</li> <li>• a predefined amount or</li> <li>• a small amount caught (&lt;1 tonne).</li> </ul> Which criteria depends upon a SETFIA established arrangement	Prohibited
Shark obligations	Retained and/or landed school shark and gummy shark must be bigger than 450mm from middle of posterior edge of aftermost gill-slit to ventral insertion of the caudal fin. If any school shark are taken alive they must be returned to the water alive. All fins must be attached to the shark's carcass	Minimum size (TL) School shark – 91cm
Royal Red Prawn		There are several species of prawn caught in the NSW fishery including Royal Red Prawns
Silver Trevally		Minimum size (TL) – 30cm

Note: NSW has other size limits, however, these limits are for species that are not SESSF quota species

Other requirements

	SESSF/SET management rule	SFT management rule
<b>Trawl gear</b>	<p>Mid water trawl – mesh size of gear must not be less than 90mm at any part</p> <p>Demersal otter trawl when fishing for prawns – the mesh size must not be less than 40mm and not greater than 60mm at any part (this is relevant to Royal Red Prawns which are a quota species)</p> <p>Demersal otter trawl when fishing for fish (not prawns):</p> <ul style="list-style-type: none"> <li>the mesh size in the wings and net mouth not less than 115mm</li> <li>mesh size of               <ul style="list-style-type: none"> <li>at least 90mm single twine mesh</li> <li>at least 102mm double twine mesh, or</li> <li>at least 90mm double twine mesh with one or more BRDs [a single large square mesh panel in the upper side of the codend, or a single large rotated mesh panel (T90) in the upper end of the codend bag.]</li> </ul> </li> </ul> <p>Danish seine: Mesh no less than 38mm at any part</p> <p>Pair trawling: Mesh no less than 90mm at any part</p>	<p>Mid-water trawling prohibited by regulation in NSW waters (to prevent large, factory style trawlers larger than 32m from taking fish in NSW waters.</p> <p>Otter trawl and Danish Seine methods are permitted for taking fish</p> <ul style="list-style-type: none"> <li>mesh of net is constructed of single twine mesh with a diameter of not more than 6 mm, unless</li> <li>the net is being used in waters designated as ‘trawl whiting grounds’ where the mesh of the codend of the net (or the part of the net capable of being used as a codend) may be more than 100 meshes but not more than 200 meshes in circumference, and may be constructed of double twine mesh with a maximum twine diameter of 5 mm.</li> <li>any rubber discs or rollers (a.k.a. bobbin gear) that are fitted to the net do not exceed 100 mm in diameter.</li> <li>the net is fitted with an approved bycatch reduction device.</li> </ul> <p>Danish seine</p> <ul style="list-style-type: none"> <li>The net is to be used only by the method of danish seining</li> <li>Description of net—Mesh not less than 83 mm throughout.</li> </ul>
<b>Seabird management plans</b>	<p>There must be an AFMA approved seabird management plan carried on board for each demersal otter trawl or midwater trawl vessel.</p> <p>There must be:</p> <ul style="list-style-type: none"> <li>measures to minimise and avoid the discharge of biological material while gear is in the water</li> <li>physical mitigation devices.</li> </ul> <p>Members of the crew must:</p> <ul style="list-style-type: none"> <li>be briefed on the content of the SMP before each fishing trip</li> <li>comply with the measures and requirements.</li> </ul>	
<b>Boat size</b>	<p>No restriction – output control management</p>	<p>Maximum boat length – 20m (there may be some exempted boats). However, boats used in the fishery range from 9 to 27m, powered by single or twin diesel main engines of 60-400kw (80-540hp)</p>