



**Commercial Fishing NSW Advisory Council
(CommFish NSW Advisory Council)
Meeting 24, 3 & 4 August 2022
Tweed Heads and Teleconference**

Members present	Stuart Richey AM	Chair
	Craig Shephard	Sea Urchin & Turban Shell Fishery
	Darren Ward	Ocean Trawl Fishery
	Greg Finn	Ministerial Fisheries Advisory Council
	Geoff Blackburn	Estuary General Fishery
	John Jarvis	Southern Trawl Fishery
	Mark Cranstone	Lobster Fishery
	Mitch Sanders	Ocean Trap and Line Fishery
	Patrick Richardson	Ocean Hauling Fishery
	Peter Turnell	Director, Fisheries and Aquaculture Management
	Raymond Saunders	Aboriginal Commercial Fishers
	Stephen Bunney	Abalone Fishery
	Steve Everson	Estuary Prawn Trawl Fishery
	Steve Hounsell	Inland Fishery
NSW DPI staff	Damian Young, Senior Fisheries Manager, Commercial Fisheries Simon Clark, Program Leader, Commercial Fisheries	
Invited staff and guests	<ul style="list-style-type: none"> • Anthony Zammit, Manager Shellfish Program Food Safety, NSW DPI Fisheries • Ian Lyall, Program Leader Aquaculture, NSW DPI Fisheries. • Sean Sloan, Deputy Director General, NSW DPI Fisheries. • Mr Greg Dyer, Chief Executive Officer, Sydney Fish Market. • Mr Jeff Tucker, General Manager Business Development, Sydney Fish Market. • Dr Carolyn Stewardson, Research Portfolio Manager, Fisheries Research and Development Corporation (FRDC). • Mr Steve Ayres, Extension Officer, Fisheries Research and Development Corporation (FRDC). 	
Apologies	Cherie Kirkman, Executive Officer, CommFish NSW	

1. Member Welcome, Introductions and Housekeeping

3 August 2022 - Meeting opened 09:00am

NOTED:

- The Chair welcomed Council members and NSW DPI staff.
- The traditional owners of the land, past, present, and emerging were acknowledged.

2. Review of Agenda

NOTED:

Council accepted the agenda.

3. Review, declarations, and update register of interests

NOTED:

It was noted there were no update required for the pecuniary interest register.

ACTION: Executive Officer to update pecuniary interests register and circulate (permanent action).

4. Confirmation of Minutes from Meeting 23

NOTED:

The minutes for meeting 23 were accepted as a true and accurate record of the meeting

5. Current actions arising from Meeting 23

NOTED:

- The following actions have been completed: 14.2, 22.6, 22.7, 22.11, 22.13, 23.1, 23.2, and 23.3.
- All other actions are in progress.

6. Correspondence received

NOTED:

Several pieces of correspondence were received outside of the specified timeline and will be forwarded to members prior to the next meeting.

7. Debrief from meet and greet with industry – 2 June 2022

NOTED:

- Industry participants attended and raised issues in the Ocean, Trap & Line and Estuary General fisheries.
- CommFish encouraged NSW DPI to respond to items raised in a timely to encourage greater industry participation at future meetings.

ACTION 24.1: CommFish to continue to hold an informal opportunity to meet and greet with industry at future meetings.
--

8. SFMBlue – seafood trading platform presentation

Greg Dwyer and Jeffery Tucker provided an update on the new SFMBlue seafood trading platform. Members were shown how to register and presented with examples showing how to place product onto the platform for sale. Members were provided an opportunity to provide feedback and ask questions, which occurred.

NOTED:

- CommFish considered the SFMBlue trading platform provides a new opportunity to open markets and stabilise prices.

9. Prawn Ballot paper

NSW DPI presented a paper and provided advice to CommFish NSW outlining issues raised by industry to the NSW DPI representative at a recent Myall Lakes prawn ballot. Various management options were discussed at the meeting. The feedback that fishing businesses are transferring shares for the purpose of increasing their opportunity in the ballot was discussed, balanced against the opportunity for businesses to structure their opportunities and have flexibility in how they structure their investments.

Given the importance of the draw to the pocket set fishers in the Myall Lake system, there was concern raised over the potential pecuniary interest of fishers coordinating the ballot, albeit the draws are being run with integrity. The Myall Lake prawn draw is the only draw in NSW that requires at least two nominated persons to be present during the draw. This process was established to ensure a level of ballot scrutiny.

The Ocean Haul and Aboriginal Commercial Fisher members declared their interest in the Estuary General Prawning Region 4 fishery.

NOTED:

- CommFish agreed to the principle that the more shares you own the greater the access you should have to the resource and the more fees you should pay.

ACTION 24.2:

1. CommFish requested NSW DPI provide information to ascertain the frequency of transferring shares, to evaluate the extent of share trading prior to and after a ballot.
2. CommFish recommended NSW DPI consult with Myall Lakes fishers to seek alternative nominations for a person(s) to be endorsed to coordinate the draw.

10. FRDC presentation – Workplace Health and safety in Fisheries and Aquaculture

Dr Carolyn Stewardson and Mr Steven Ayres provided an update on FRDC support project to improve safety culture in fisheries and aquaculture through avenues, including the Seasafe program. The committee briefly discussed undertaking safety drills on board vessels.

NOTED:

- FRDC is currently running a filming competition open to the commercial fishing industry, demonstrating engagement in a safe working practice onboard a fishing vessel with first prize of \$5,000.
- Relating to safety improvement it was suggested an improved understanding of the shark data being collected in real time will be a benefit to recreational and commercial divers.

ACTION 24.3: NSW DPI to provide an overview of the shark program at a future meeting.

11. MFAC member update and insight

- The MFAC commercial fishery member provided CommFish an update. MFAC met recently for the first time since June 2021.
- The MFAC member reminded the committee of their role, which is provide high level advice from experience and expertise as a commercial fisher. The member notes that at times he seeks input from other commercial fishers as appropriate, however fundamentally, the advice provided is in the interest of the commercial fishing sector.

NOTED:

MFAC has most recently been:

- reviewing and providing input on a draft co-management policy for NSW fisheries.

ACTION 24.4: MFAC member update to be a standing agenda item for all future CommFish NSW meetings.

12. Program Leader, Commercial Fisheries update

The Program Leader Commercial Fisheries provided a brief update, noting that the BEP remains a key focus for the commercial management team. Recent effort has focused on assisting in the BEP reform through drafting of regulatory instructions and other associated documentation that support the current round of business efficiency changes.

13. Shellfish Committee and topic of concern

NSW DPI provided CommFish NSW with an overview of the Shellfish committee and their current topic of concern, relating to recent flooding events and associated changes in water quality, being driven by land-based sources. The Shellfish committee consider they potentially share an objective with the fishing sectors to ensure healthy estuarine ecosystems to support recruitment and the aquaculture industry.

14. Co-management policy

NSW DPI presented the draft co-management policy for fisheries in NSW.

NOTED:

- Next steps are for the advisory councils to provide comment and then the Minister prior to public consultation on the draft
- CommFish NSW supports the draft policy proceeding to public consultation in its current form

15. Deputy Director General update

The Deputy Director General provided a brief update on various items:

- The Aboriginal Cultural Fishing agreement for the Tweed Heads region is close to being finalised.
- The draft Marine Parks Plan is being finalised through internal process.
- There has been consideration regarding future arrangements for Southern Fish Trawl fishery, given the previous Commonwealth's Government's commitment to invest in a buyout and introduce 26,000 km² of additional fishing closures for the SESSF fishery. Interim measures may need to be put in place to prevent an increase in effort and potential sustainability issues in the SFT fishery due to the proposed Commonwealth changes.

16. Debrief on face-to face meetings on the NSW Sustainable Seafood Strategy

NSW DPI presented feedback received from regional meetings held to discuss the NSW Sustainable Commercial Seafood Strategy

NOTED:

- Industry attendance was low at the regional sessions
- There was feedback that future events should consider offering alternative locations, as not all fishers are associated with cooperatives.

- The title of the strategy needs to be changed to include the word commercial
- CommFish recommended the timelines in the strategy should be tightened
- The strategy needs to be finalised as soon as practical

ACTION 24.5: CommFish recommended the name of the strategy is amended to single out the commercial fishing sector and CommFish is incorporated in the branding of the strategy

Meeting to continue following day.

[4 August 2022 - Meeting opened 08:30am](#)

17. General Business

Topic

Succession planning for CommFish NSW

NOTED:

- An online training module has been developed by several state representative bodies and the Australian Maritime & Fisheries Academy for people who would like to participate on committees, working groups etc. in the future
- Provided they have completed the training module and sign confidentiality agreements up to 2 commercial fishing industry participants should be invited to attend future CommFish meetings so they can obtain the skills and experience necessary to participating on committees, working groups etc in the future

ACTION 24.6: CommFish members to recommend to the Executive Officer succession candidates to approach to encourage to undertake the training and attend future CommFish meetings.

Topic

Transfer rules

NOTED:

- Fishing business transfer rules are restricting industry's ability to tailor their business and preventing new entrants from entering the fishery

ACTION 24.7: NSW DPI to review fishing business transfer rules and advise if changes are required.

Topic

CommFish membership

NOTED:

- Six CommFish member positions are due to expire in November 2022.
- A call for expression of interest to fill all six positions will be made, noting some members may be reappointed, according to the terms of reference.

ACTION 24.8: NSW DPI to advise CommFish which member positions are due to expire.

Topic

BDO EconSearch survey

NOTED:

- The committee recommend the survey needs to be refined, as from their experience, some of the catch and price information could not be provided in a short phone questionnaire. The process is relying on industry to provide accurate information that can be used to better support the industry in the future.

18. Program Leader, Resource Management update

Topic

Harvest strategies

NOTED:

- Trawl whiting and Lobster harvest strategies have been completed
- Spanner crab and Mulloway harvest strategies are in progress
- Harvest strategies are important tools for guiding TAC determinations and support adoption of multi-year TAC's

The mulloway working group is providing recommendations to NSW DPI at aiming to improve knowledge gaps (for all sectors) on the Mulloway stock.

- Improving length data, which is the primary tool used in the stock assessment, in conjunction with other indicators
- Increase catch reporting data
- A fisheries compliance operation is underway focussing on black marketing to improve estimates of illegal, unknown, and unreported catch

CommFish members stated:

- Noted that industry can make a contribution to improving data through providing length information and improving reporting.
- They would like to see some form of tagging from point of capture to improve traceability
- Any management measures being considered should be distributed across sectors, to contribute to the stocks recovery.
- CommFish would like to see regular updates regarding the Mulloway HSWG as we don't have a CommFish member on the group

ACTION 24.9: NSW DPI to provide regular updates on the Mulloway HSWG progress
--

19. Next meeting

To be held in Merimbula, 24 & 25 November 2022.

20. Meeting Closed

Closed at 10:15am

Appendix A – Current Actions & Recommendations List for Meeting 24

No.	Action	Whom	Comments	Status
8.17	Meeting 10: Action has been amended to: 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	Meeting 10: Chair advised that this action is back on the agenda for today. Action 8.17 to be updated Meeting 11: Working with compliance	In Progress
14.2	NSW DPI to consult with industry on Prawn ballots that do not involve re-visiting share linkage.	NSW DPI	Meeting 24: To be discussed in today's meeting	Completed
14.6	NSW DPI to: 2. Revisit the Fishing business transfer rules at a later date	NSW DPI	Meeting 18: 1. Completed, 2 In progress	2. In Progress
17.4	Item 6.10: (Refer to appendix B) NSW DPI to investigate further and consider amending the regulations.	NSW DPI		In Progress
17.5	Item 6.15.2 (Refer to appendix B) NSW DPI to prepare a paper for CommFish consideration	NSW DPI		In Progress
17.8	Item 7.6: (Refer to appendix C) NSW DPI to write to the proponent to request further information.	NSW DPI		In Progress

No.	Action	Whom	Comments	Status
18.6	Appendix G - Item 11.1.2 - NSW DPI to write to the proponent to request further information on trap size.	NSW DPI		In Progress
18.7	Appendix G Items 11.3, 11.4, 11.5 and 11.7. - To revisit at a later date.	NSW DPI		In Progress
19.2	CommFish recommend: 1. NSW DPI to consult with fishers and existing registered fish receivers on the four options. 2. NSW DPI and Industry work to improve compliance with existing record-keeping and reporting requirements.	NSW DPI NSW DPI		In Progress
19.3	NSW DPI to investigate the sending of links to industry members.	NSW DPI		In Progress
19.4	The EG member is to provide an example of a proposed industry standard with the assistance of the EO and revert back to CommFish for further discussion.	EG & EO	Meeting 20: Update – <ul style="list-style-type: none"> • EG member has raised with NSWSIC as the appropriate body. • It was resolved to draw up an Industry standard that NSWSIC would endorse. Meeting 21: Update – EG member advised that a draft has been prepared and is with the Chair of NSWSIC.	In Progress

No.	Action	Whom	Comments	Status
19.7	Item 1.2 DPI to work with proponent and report back to CommFish (refer to appendix C).	NSW DPI		In Progress
19.9	The following items from the BEP are recommended for further discussion with RFNSW Item 2.5 and 2.9 (refer to appendix D)	NSW DPI		In Progress
19.10	Item 4.1 from the BEP is to be considered at a later date. (refer to appendix F)	NSW DPI		In Progress
19.11	Item 5.1 from the BEP is for DPI to investigate and report back to CommFish on amending the Act or regulation. (refer to appendix G)	NSW DPI		In Progress
19.13	Item 7.2 from the BEP is for DPI to work with relevant shareholders and revert back to CommFish for further consideration (refer to appendix I)	NSW DPI		In Progress
20.2	1. NSW DPI to release the Trawl Whiting Harvest Strategy for public consultation. 2. NSW DPI to investigate why quota could not be transferred prior to the end of the fishing period between fishing business with the same business owner.	NSW DPI	Meeting 22: 1. Completed 2. In Progress	1. Completed 2. In Progress
20.5	The following items from the BEP are to be revisited after seeking feedback from relevant fishers: (Refer to appendixes B; Items 1.1, 1.2, 1.3, and 1.5).	NSW DPI		In Progress

No.	Action	Whom	Comments	Status
20.8	NSW DPI to seek further information from the proponents. (Bait nets various waters; Item 4.4.)	NSW DPI		In Progress
20.9	Dive members to consider an alternative approaches to enhance diver safety (Item 5.3.2)	CFNSW		In Progress
20.10	NSW DPI to investigate post catch reconciliation of quota and report back to CommFish (Item 5.4)	NSW DPI		In Progress
20.11	Regulations are amended to clarify that hanging of SUTS species is not permitted (Item 5.6.2)	NSW DPI		In Progress
21.3	<p>1. NSW DPI to proceed with public consultation on the implementation of a mud crab tagging program and to seek feedback on a tagging management framework.</p> <p>2. If after public consultation it is viewed that tagging is to be implemented, NSW DPI is to seek approval for funding from the Commercial Fishing Trust fund.</p> <p>3. NSW DPI is to consider any potential future income going back into the Commercial Fishing Trust fund.</p>	NSW DPI		In Progress
21.6	The EO is to investigate training opportunities available within DPI to table at the next meeting.	EO	Meeting 22: EO advised that an induction package is being developed.	In Progress

No.	Action	Whom	Comments	Status
21.9	The following items from the BEP are recommended as no change (Refer to appendixes B) Items 5.8.1, 5.10 and 5.11.1.	NSW DPI		In Progress
21.10	DPI to pilot co-management with Clarence School Prawn Committee.	NSW DPI		In Progress
21.11	That Item 5.9 (Appendix B) move to the next step (BEP working group).	NSW DPI		In Progress
21.12	A separate review of rights of priority be revisited at a later date.	NSW DPI Council		In Progress
22.2	DPI to consider the request, subject to any directions given by the Minister.	NSW DPI	Meeting 24: NSW DPI advised that correspondence will be now sent to proponent and a copy sent to CommFish	In Progress
22.4	DPI to provide further updates, including before the EA and RFMS are finalised.	NSW DPI		In Progress
22.5	DPI to provide further updates, including before each plan is finalised.	NSW DPI		In Progress
22.6	Chair to write to the Director of Compliance with the advice (recommendations) of the Council.	Chair	Meeting 24: Correspondence sent on 8/6/2022	Completed
22.7	Chair to include in the letter above (refer previous action) council's gratitude for the recent recruitment of additional Fisheries Officers and the need for more along with the	Chair	Meeting 24: Correspondence sent on 8/6/2022	Completed

No.	Action	Whom	Comments	Status
	emerging fisheries compliance issue identified by members.			
22.8	The following items from the BEP are recommended to progress to the next step - BEP working group (Refer to appendixes B and C Items 1.1, 1.5, 2.2, 2.3.2 and 2.7)	NSW DPI		In Progress
22.9	The following items from the BEP are recommended as no change (Refer to appendixes B - E items 1.2.1, 1.3, 1.4, 1.6.1, 2.4, 2.8.1,3.1, 3.2, 4.1.1, 4.1.2, 4.2)	NSW DPI		In Progress
22.11	1.6.2 EO to refer issue to NSW DPI compliance.	NSW DPI	Meeting 24: “immediate vicinity” correspondence sent 8/6/2022	Completed
22.12	DPI to investigate and refer to CommFish for further consideration. (Refer to appendixes B and C Items 1.7, 2.1.1, 2.5, 2.6, 2.8.2)	NSW DPI		In Progress
22.13	2.1.2 EO to refer issue to NSW DPI compliance.	NSW DPI	Meeting 24: “Closed waters” correspondence sent 8/6/2022	Completed
22.14	2.3.1 DPI to consider engaging industry on a region by region basis to gauge interest in standardising weekend closures regionally.	NSW DPI		In Progress
23.1	Executive officer to share CommFish member contact details with Fishwell Consultancy.	EO	Meeting 24: sent	Completed

No.	Action	Whom	Comments	Status
23.2	EO to provide survey to members and coordinate responses back to the Chair.	EO	Meeting 24: Sent and ordinated responses	Completed
23.3	PLCF to investigate and provide update to members.	PLCF	Meeting 24: Drumlines, Shark Manager to contact SUTS member. What did Craig say	Completed
24.1	CommFish to continue to hold an informal opportunity to meet and greet with industry at future meetings.	Council		In Progress
24.2	1. CommFish requested NSW DPI provide information to ascertain the frequency of transferring shares, to evaluate the extent of share trading prior to and after a ballot. 2. CommFish recommended NSW DPI consult with Myall Lakes fishers to seek alternative nominations for a person(s) to be endorsed to coordinate the draw.	NSW DPI		In Progress
24.3	NSW DPI to provide an overview of the shark program at a future meeting.	NSW DPI		In Progress
24.4	MFAC member update to be a standing agenda item for all future CommFish NSW meetings.	EO		In Progress
24.5	CommFish recommended the name of the strategy is amended to single out the commercial fishing sector and CommFish is incorporated in the branding of the strategy.	NSW DPI		In Progress

No.	Action	Whom	Comments	Status
24.6	CommFish member to recommend to the Executive Officer succession candidates to approach to encourage to undertake the training and attend future CommFish meetings.	Council NSW DPI		In Progress
24.7	NSW DPI to review fishing business transfer rules and advise if changes are required.	NSW DPI		In Progress
24.8	NSW DPI to advise CommFish which member positions are due to expire.	EO		In Progress
24.9	NSW DPI to provide regular updates on the Mulloway HSWG progress	NSW DPI		In Progress