



Commercial Fishing NSW Advisory Council

**Meeting 26, 4 May 2023,
Nelson Bay 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
	Graeme Byrnes	Estuary General Fishery
	John Jarvis	Southern Fish Trawl Fishery
	Mark Cranstone	Lobster Fishery
	Mitch Sanders	Ocean Trap & Line Fishery
	Patrick Richardson	Ocean Hauling Fishery
	Raymond Saunders	Aboriginal Commercial Fishers
	Simon Clark	Acting Director Fisheries & Aquaculture Management
	Stephen Bunney	Abalone Fishery
	Steve Everson	Estuary Prawn Trawl Fishery
Taylor Henderson	Inland Fishery	
Mentee	Paul Aquilina	
Executive Officer	Cherie Kirkman	
NSW DPI staff	<ul style="list-style-type: none"> • Aimee Cavanagh, Program Leader Business Analytics, Fisheries Services • Andrew Moriarty, Director Fisheries Compliance (via Zoom) • Darren Hale, Senior Fisheries Manager, Commercial Fisheries • Darren Reynolds, Program Leader Fisheries Innovation & Development (via Zoom) and Anders Magnusson, BDO EconSearch • Matt Broadhurst, Principal Research Scientist, NSW Fisheries • Mika Malkki, Director Fisheries Strategy, Policy & Services (via Zoom) • Nick Giles, Senior Fisheries Manager, Harvest Strategies (via Zoom) • Sarah Fairfull, Director Aboriginal Fishing & Marine & Coastal Environments (via Zoom) • Thor Saunders, Director Fisheries Research (via Zoom) 	
Apologies	<ul style="list-style-type: none"> • Peter Turnell, Director Fisheries & Aquaculture Management (portion of meeting) • Mark Cranstone, Lobster – Member (portion of the meeting) • Mitch Sanders, Ocean Trap and Line – Member • Patrick Richardson, Ocean Hauling – Member 	

4 May 2023 – Meeting opened 08:45am

1. Member welcome, introductions, and housekeeping

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

2. Review of agenda

Council accepted the agenda.

3. Register of interests

The pecuniary interest register was updated prior to the meeting.

ACTION: Executive Officer to update pecuniary interests register and circulate.
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4. Confirmation of minutes from Meeting 25

The minutes for meeting 25 were accepted as a true and accurate record of the meeting.

5. Actions from Meeting 25

The following actions have been completed and all others are in progress: 17.5,17.8, 18.6, 19.2,19.4, 19.10,19.11,19.13.20.2.2, 20.8,20.10,21.6, 21.9, 21.11, 21.12, 22.5, 22.8, 22.9,22.14,24.6, 25.1, 25.2, 25.3,25.4, 25.5, 25.6.

6. Correspondence

The following correspondence were considered operational and was forwarded to NSW DPI to respond to:

- letters concerning the new Line and Trap Harvest Strategy working group
- a letter concerning Eastern Sea Garfish and weekend closures
- a letter concerning leasable Blue Eye and Bass Groper quota

Council noted the Chair replied directly to correspondence from a former member.

Correspondence from Council members was deferred for discussion during general business.

7. Debrief from meet and greet with industry – 3 May 2023

Council was encouraged to see so many industry participants attend the meet and greet with council members and NSW DPI staff. Many questions were address on the spot and others noted for follow up by DPI NSW.

There was acknowledgement that an item previously considered and not supported was mentioned at the meet and greet. Given the high volume of items considered by CommFish it will continue to progress the supported proposals, recognising that the current program is unlikely to be the only opportunity for future business efficiency improvements.

8. FishOnline Modernisation Program update

Council noted the update and anticipated delivery of changes around June 2024, and:

- supported simplifying the login process without sacrificing security, the ability to use different devices, and to make programing updates quicker and more efficient
- offered to meet with NSW DPI to discuss improvements in more detail
- supported rationalising data collected to make it easier for fishers and to improve data quality (this was more relevant to agenda item 17 below).

9. *Estuary Prawn Trawl extension work and Danish seine research*

Council noted presentations from Dr Matt Broadhurst, Principal Research Scientist, on:

1. extension work that involves helping estuary prawn trawl fishers in the Hunter and Hawkesbury Rivers modify their nets to improve efficiency and selectivity
2. research on alternate Danish seine mesh sizes and configurations

Council notes industry concern with the efficiency of Danish seine nets. An alternative net is being considered as the fishery now has quota controls, and that 83 mm mesh in the seine fishery is inefficient for the target species (Stout and Eastern School Whiting). Early indication from the observer program was that bycatch levels are much less than for otter board trawling, however more research is needed before changes to Danish seine nets can be considered.

ACTION 26.1: Executive Officer to circulate presentations and member's contact details so that council members may engage with Dr Broadhurst.

10. *Overdue fish (catch) records*

Council noted advice from Andrew Moriarty, Director Fisheries Compliance, concerning the importance of accurate catch and effort information for managing fisheries resources, overdue fish records, and that an operation is proposed to be launched in May. This will be a two-step process with the first being communication to encourage lodgment of late returns, which will be followed by enforcement action.

Council supported the operation but expressed caution prosecuting business owners where a nominated fisher is involved, particularly given that business owners cannot monitor the making of fish records by nominated fishers on FishOnline. Council also noted DPI advised that there are processes in place to consider such circumstances.

ACTION 26.2: NSW DPI to review processes so that fishing business owners can view fish records submitted by their nominated fishers in relevant fisheries.

11. *Shape cultural change in the NSW Northern Fish Trawl sector*

At meeting 25, council members were asked to consider being part of this project. DPI called for a CommFish representative again to balance industry/DPI participation and because of the working relationship between CommFish members and DPI.

ACTION 26.3: Executive Officer to send background information about the project to council members and members to advise should they are able to participate.

12. *Administrative sanctions policy for commercial and charter fishing industries*

Council noted advice from Mika Malkki, Director Fisheries Strategy, Policy & Service, on a proposed administrative sanctions policy to promote consistency in the application of sanctions for repeat and serious offences and how it may contribute towards fit and proper persons in the industry.

Members discussed earlier work by the Council on the Penalty Demerit Scheme (PDS), raising questions on its progress. The council encourages DPI to resume progress on developing the demerit scheme along with the administrative sanctions.

ACTION 26.4: Chair to write to the Deputy Director General Fisheries to indicate Council's support for the administrative sanctions policy and recommend that the Penalty Demerit Scheme also be progressed.

13. *Director, Aboriginal Fishing and Marine Conservation update*

Council noted updates from Sarah Fairfull, Director, Aboriginal Fishing & Marine & Coastal Environments, on the following four aboriginal fishing and marine parks planning matters.

Aboriginal cultural fishing:

A working group has been established under the Aboriginal Fishing Advisory Council (AFAC) to develop options for future cultural fishing in NSW. Advisory councils and the community will be engaged throughout the process.

In the meantime, the NSW Government will continue to support cultural fishing under the current Aboriginal fishing interim access arrangements, including the issuing of permits for cultural fishing activities.

Aboriginal Fishing Business Development Program:

The Aboriginal Fisheries Business Development program is a 2-year program to increase Aboriginal involvement in commercial fishing enterprises. A call for expressions of interest was released in September 2022 and closed in Feb 2023. There has been strong interest, with applications now being assessed.

Cultural Fishing Local Management Plans:

Cultural Fishing Local Management Plans are in place in the Hastings and Tweed areas under a 2-year trial. Local communities are heavily involved, with committees established, registration of community members underway (using voluntary ID cards), and the Hastings community helping with recent Mulloway restocking.

Cultural Fishing Harvest Strategy:

A draft Harvest Strategy Framework for cultural fishing is being developed, involving external consultants, a literature review, and the involvement of AFAC. A range of approaches are being considered to facilitate broader engagement including videos.

Marine Park Planning update:

The draft Management Plan for the NSW Mainland Marine Park Network (2021-2031) was release for community feedback late last year, covering all 5 marine parks off NSW. Once approved, the Management Plan will inform changes to Marine Parks, commencing with the Batemans Bay Marine Park and Port Stephens-Great Lakes Marine Park. Work has also commenced on a draft Management Plan for the Lord Howe Island Marine Park.

14. White spot

Council discussed the impact of the white spot biosecurity order on local commercial fishers, including flow-on effects, with emphasis on the importance of clear ongoing communication. Industry concerns noted include unclear lines of communication, no positive test results from the river, no compensation for affected fishers, and uncertainty as to how long fishing will be affected.

15. Social and Economic Indicator reports

Council received a presentation from Anders Magnusson, BDO EconSearch, on the 2nd year of the social and economic indicators surveys for NSW commercial fisheries and was informed by DPI that the 2nd year reports will be published on the NSW DPI website soon.

16. Vessel Monitoring System (VMS)

Council noted an update from Darren Reynolds, Program Leader Fisheries Innovation & Development, on the Commonwealth's proposal to require vessels transiting or operating in Australian Marine Parks to be fitted with a VMS, including the consultation phase ending on 26 May 2023 and a request for the Commonwealth to engage with Council.

Council also noted that DPI has commenced trialing units on several NSW commercial fishing boats to test the different hardware, software, viewing dashboards, support by suppliers, cost, ease to upgrade, and connectivity, etc.

Council supports DPI investigating and promoting the benefits of such systems, including business owners being able to track their own boats while at sea.

17. Data Collection project

Council noted an update from Darren Reynolds, Program Leader Fisheries Innovation & Development, on the NSW DPI data collection project including a review a what data is being collected and why and how it will improve the quality of data collected. The results of this review will be presented to Council.

18. Business Efficiency Program papers

Council noted an update on the progress of all BEP proposal (CommFish Paper 37 – Overview of all BEP proposals) and considered the following 6 papers with the outcomes of each provided in Appendix B to these minutes:

CommFish Paper 38 – Estuary General (EG) Size of eel traps

CommFish Paper 39 – CommFish request for further information Meshing

CommFish Paper 40 – EG Use of bait nets in various waters

CommFish Paper 41 – Line fishing species restrictions south of the Moruya River

CommFish Paper 42 – Ocean Haul Garfish hauling

CommFish Paper 43 – EG Meshing in additional waters

19. Program Leader Commercial Fisheries update

Council noted updates from Simon Clark, Acting Director Fisheries & Aquaculture Management, on the following commercial fishing matters.

Fisheries Managers and fisheries:

The commercial fisheries team is trialing an approach that involves a designated manager for each fishery to project manage fishery specific issues. All staff will continue to work on industry-wide projects or special project covering multiple fisheries.

ACTION 26.5: NSW DPI to share details for relevant fishery managers.

Mulloway:

Mulloway has been a current topic with reports of good recruitment and high numbers of juvenile Mulloway in estuaries and on some ocean beaches. Council supported DPI increasing industry communication and education to help this cohort through to legal size (or the next spawning event) to rebuild the stock for the benefit of all stakeholders.

Inland fish kills (Menindee Lakes):

Inland commercial fishers were recently engaged to knockdown the European Carp numbers in waters upstream of Menindee to reduce impacts on oxygen levels. Council discussed the benefits of a pre-determined emergency action plan and how it may help increase responsiveness but agreed that independent inquiry underway will need to run its course.

Other matters:

Other commercial fishery matters mentioned and noted were:

- Regulations delivering Business Efficiency Program changes were published in January and February 2023 with the changes summarised on the NSW DPI website
- Several closures have been modified to allow the taking of purple sea urchin

- A workshop was held with local fishers last week to discuss harvesting of pipi on Stockton Beach
- The Business Efficiency Program remains a priority for the commercial fisheries team and will be progressed as quickly as resources allow
- Research to improve the selectivity of Danish seining continues, with consideration being given to a hybrid approach to observer coverage

20. Nominations for Business Efficiency Program Working Group (BEPWG)

It was agreed the Inland representative will join the BEPWG in lieu of the Ministers Fisheries Advisory Council representative and the Estuary General representative will stand-in as required. Council thanked The MFAC representative for their time on the working group.

ACTION 26.6: Remove MFAC member from the BEPWG, add Inland representative as a member and Estuary General representative as a potential proxy.

21. Resource Management update

Council noted updates from Nicholas Giles, Senior Fisheries Manager, Harvest Strategies, on the following resource management matters.

Harvest Strategies:

The final draft Spanner Crab Harvest Strategy is pending Ministerial approval and the Mulloway Harvest Strategy remains in development.

The first meeting of the Line and Trap Harvest Strategy Working Group will be held in May, focusing on Snapper and Kingfish.

ACTION 26.7: CommFish Chair to write to the Chair of the Mulloway Harvest Strategy Working Group to advise that Estuary Prawn Trawl member will attend a future working group meeting.

TAC determinations:

TAC determinations have been made for species in the Ocean Trawl, Ocean Trap & Line and Ocean Hauling fisheries in preparation for the new fishing period on 1 May.

The public consultation phase for Abalone and Hand Gathering TACs has finished and for Spanner Crab is ongoing.

22. MFAC member insights

The MFAC member, raised the issue of financing and mortgaging commercial fishing assets and provided an update on some work he was doing.

ACTION 26.8: Executive Officer to initiate and collect feedback from other members on this topic to assist the MFAC representative in his deliberations.

23. CommFish mentoring program

The updated CommFish NSW Mentoring Program paper was accepted by members.

24. General Business

Southern Fish Trawl (SFT):

Council noted the status of the Commonwealth buyout process in the Southern and Eastern Scalefish and Shark Fishery and risk of increased fishing effort and catch in the NSW Southern Fish Trawl Fishery.

Action 26.9: NSW DPI to consider potential responses to manage any increase in effort in the Southern Fisher Trawl Fishery that may arise due to changes in the adjacent Commonwealth Southern and Eastern Scale fish and Shark Fishery.

Dredging:

Council noted the importance of industry consultation when DPI assesses applications with respect to the marine habitats, such as to dredge.

ACTION 26.10: NSW DPI to check that internal processes provide for consultation with industry when assessing planning applications.

Wind farms:

Council noted proposals for offshore wind farms that have the potential to impact commercial and recreational fishing, and that in Victoria a consultant has been engaged to consider matters including industry compensation for loss of access.

Representing as CommFish:

Members were reminded they require the prior approval of the Chair to represent themselves as a member of CommFish in communications or forums.

Aquatic reserves:

It was raised that many species may be taken from aquatic reserves, such as abalone and rock lobster but not sea urchin and Turban Shell. It was advised, that this was an issue to be raised with SUTS fishers for industry discussion, to determine if this is an issue for the fishery to pursue.

Inland:

Council noted that 'small wins', delivered through the BEP, would assist morale in the Inland fishery and that the proposal to adjusting the 48-hour yabby trap setting rule would be a start given long distances travelled, fatigue, and safety.

ACTION 26.11: NSW DPI to discuss with the Inland member the proposal for research to reduce bycatch (traps already have a 90 mm ring) and its link with the 48-hour rule.

Welcoming Minister Moriarty:

Council noted the Chair sent a letter welcoming the Hon. Tara Moriarty and discussed that they look forward to meeting the Minister soon.

Meeting 20 minutes (BEP):

Council noted that the minutes for meeting 20 correctly identified that item 3.3 relating to garfish hauling in ocean waters progress to the Business Efficiency Program Working Group (BEPWG), but that there is an issue with the wording. Council agreed to amend the wording for clarification, as follows:

“That the proposal to allow beach and boat-based garfish hauling in the Ocean Hauling Fishery closures in question ~~on weekends~~, except on gazetted public holidays and weekends where the weekend follows or precedes a gazette public holiday, progress to the BEP working group”.

25. Meeting closed 6pm

Next meeting: TBD

Appendix A – Current Actions & Recommendations List for Meeting 26

No.	Action	Whom	Comments	Status
8.17	Meeting 10: Action has been amended to: NSW DPI to work through on-ground examples with a working group comprised of fishers and members to gain a solution. 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
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	Meeting 26: Paper to be presented at today's meeting	Completed
17.8	Item 7.6: (Refer to appendix C) NSW DPI to write to the proponent to request further information.	NSW DPI	Meeting 26: Paper to be presented at today's meeting	Completed
18.6	Appendix G - Item 11.1.2 - NSW DPI to write to the proponent to request further information on trap size.	NSW DPI	Meeting 26: Paper to be presented at today's meeting	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: NSW DPI to consult with fishers and existing registered fish receivers on the four options. NSW DPI and Industry work to improve compliance with existing record-keeping and reporting requirements.	NSW DPI NSW DPI	Meeting 26: 1. Recommended in the NSW Commercial Fishing Strategy and will be tracked through this project 2. Compliance have implemented an operation to improve record lodgement. Longer term innovation project to simplify and improve record	Completed

No.	Action	Whom	Comments	Status
			keeping and will be tracked through this project.	
19.3	NSW DPI to investigate the sending of links to industry members.	NSW DPI	Meeting 26: NSW DPI is working to improve the website once completed will revisit request and liaise with OH member	In Progress
19.4	The Estuary General member is to provide an example of a proposed industry standard with the assistance of the EO and revert to CommFish for further discussion.	EG & EO	Meeting 20: Update – EG member has raised with NSW SIC as the appropriate body. It was resolved to draw up an Industry standard that NSW SIC would endorse. Meeting 21: Update –EG member advised that a draft has been prepared and is with the Chair of NSW SIC. Meeting 26: Action can be completed refer to action 25.8	Completed
19.7	Item 1.2 DPI to work with proponent and report back to CommFish (refer to appendix C).	NSW DPI	Meeting 26: CommFish will receive a presentation today on the research that is being done.	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	Meeting 26: To be discussed at today's meeting	In Progress
19.10	Item 4.1 from the BEP is to be considered at a later date. (refer to appendix F)	NSW DPI	Meeting 26: Item has now been moved to the BEP later date project and will be tracked through this project.	Completed
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	Meeting 26: Item has now been moved to the BEP later date project and will be tracked through this project.	Completed

No.	Action	Whom	Comments	Status
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	Meeting 26: Item has now been moved to the BEP later date project and will be tracked through this project.	Completed
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 Meeting 26: Item 2 Member was given the opportunity to contact Fisheries Manager catch records to discuss.	1. Completed 2. Completed
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	Meeting 26: Still in progress	In Progress
20.8	NSW DPI to seek further information from the proponents. (Bait nets various waters; Item 4.4.)	NSW DPI	Meeting 26: Paper to be presented at today's meeting	Completed
20.9	Dive members to consider an alternative approach to enhance diver safety (Item 5.3.2)	CFNSW	Meeting 26: Chair to seek member nominations SUTS and Abalone member to provide alternative approaches.	In Progress
20.10	NSW DPI to investigate post catch reconciliation of quota and report back to CommFish (Item 5.4)	NSW DPI	Meeting 26: Item has now been moved to the BEP later date project and will be tracked through this project.	Completed
20.11	Regulations are amended to clarify that hanging of SUTS species is not permitted (Item 5.6.2)	NSW DPI	Meeting 26: Still in progress	In Progress

No.	Action	Whom	Comments	Status
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	Meeting 26: Still in progress	In Progress
21.6	The EO is to investigate training opportunities available within DPI to table at the next meeting.	EO	<p>Meeting 22: EO advised that an induction package is being developed.</p> <p>Meeting 26: Induction training has been developed and delivered to members</p>	Completed
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	Meeting 26: Approved and confirmed not to progress	Completed
21.10	DPI to pilot co-management with Clarence School Prawn Committee.	NSW DPI	Meeting 26: Still in progress	In Progress
21.11	That Item 5.9 (Appendix B) move to the next step (BEP working group).	NSW DPI	Meeting 26: Completed - Approved and confirmed progressing to BEPWG	Completed
21.12	A separate review of rights of priority be revisited at a later date.	NSW DPI Council	Meeting 26: Item has now been moved to the BEP later date project and will be tracked through this project.	Completed
22.4	DPI to provide further updates, including before the EA and RFMS are finalised.	NSW DPI	<p>Meeting 25: Update presented at meeting</p> <p>Meeting 26: Still in progress</p>	In Progress

No.	Action	Whom	Comments	Status
22.5	DPI to provide further updates, including before each plan is finalised.	NSW DPI	Meeting 25: Tweed LMP was provided for comment in October. A further update will be provided at meeting. Meeting 26: Update provided today	Completed
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	Meeting 26: Completed - Approved and confirmed progressing to BEPWG	Completed
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	Meeting 26: Approved and confirmed not to progress	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	Meeting 26: Still in progress	In Progress
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	Meeting 26: Item has now been moved to the BEP later date project and will be tracked through this project.	Completed
24.2	NSW DPI to provide more data to ascertain if the transferring of shares issue is real or perceived and to consult with Myall Lakes fishers to provide nominations for a person(s) to be endorsed to coordinate the draw	NSW DPI	Meeting 25: Action to be updated: NSW DPI to provide more data to ascertain if the transferring of shares issue is real or perceived and to consult with Myall Lakes fishers to provide nominations for a person(s) to be endorsed to coordinate the draw Meeting 26: Draw portion of action completed	In Progress
24.6	CommFish members to recommend to the Executive Officer succession candidates to approach to encourage to undertake the	Council NSW DPI	Meeting 26: Paul Aquilina has been welcomed as the first mentee with members still able to recommend further candidates. Mentoring paper	Completed

No.	Action	Whom	Comments	Status
	training and attend future CommFish meetings.		accepted at meeting	
24.7	NSW DPI to review fishing business transfer rules and advise if changes are required.	NSW DPI	Meeting 26: Still in progress	In Progress
25.1	It was recommended to NSW DPI to consider introducing the presentation by Dr Knuckey on harvest strategy (HS) components to become part of the induction for new HS working groups.	NSW DPI	Meeting 26: Action provided to PLRM for consideration	Completed
25.2	CommFish supported the Abalone member to work with the Shellfish committee on the water quality issues from a wild catch perspective.	NSW DPI	Meeting 26: Noted as supported	Completed
25.3	NSW DPI to consider processes to keep CommFish updated on harvest strategy processes, either through identified CommFish membership on future HSWG's or other specific process to ensure members' ability to undertake due diligence in decision making.	NSW DPI	Meeting 26: Action provided to PLRM for consideration	Completed
25.4	CommFish to review further the Mentoring document	Council	Meeting 26: Mentoring document accepted at meeting	Completed
25.5	EO to provided CommFish members contact details to the project team	EO	Meeting 26: Sent	Completed
25.6	It was recommended to DPI NSW that a buoy (not less than 200mm) should display the Fishing Business number and be accessible	NSW DPI	Meeting 26: NSW DPI noted	Completed

No.	Action	Whom	Comments	Status
	downstream of the net.			
25.7	EO to collect SFM Blue items from CommFish members and provide to Chair for consideration share with SFM Blue operators.	SUTS & MFAC MEMBERS	Meeting 26: Email to be sent for comment collection.	In Progress
25.8	Invite NSW DPI Compliance to a future meeting to discuss the progress of the fit and proper person test and penalty demerit scheme.	NSW DPI	Meeting 26: Still in progress	In Progress
26.1	Executive Officer to circulate presentations and member's contact details so that council members may engage with Dr Broadhurst.	EO/Council		
26.2	NSW DPI to review processes so that fishing business owners can view fish records submitted by their nominated fishers in relevant fisheries.	NSW DPI		
26.3	Executive Officer to send background information about the project to council members and members to advise should they are able to participate.	EO/Council		
26.4	Chair to write to the Deputy Director General Fisheries to indicate Council's support for the administrative sanctions policy and recommend that the Penalty Demerit Scheme also be progressed.	Chair		

No.	Action	Whom	Comments	Status
26.5	NSW DPI to share details for relevant fishery managers.	NSW DPI		
26.6	Remove MFAC member from the BEPWG, add Inland representative as a member and Estuary General representative as a potential proxy.	NSW DPI		
26.7	CommFish Chair to write to the Chair of the Mulloway Harvest Strategy Working Group to advise that Estuary Prawn Trawl member will attend a future working group meeting.	Chair		
26.8	Executive Officer to initiate and collect feedback from other members on this topic to assist the MFAC representative in his deliberations.	EO		
26.9	NSW DPI to consider potential responses to manage any increase in effort in the Southern Fisher Trawl Fishery that may arise due to changes in the adjacent Commonwealth Southern and Eastern Scalefish and Shark Fishery.	NSW DPI		
26.10	NSW DPI to check that internal processes provide for consultation with industry when assessing planning applications.	NSW DPI		
26.11	NSW DPI to discuss with the Inland member the proposal for research to reduce bycatch (traps already have a 90 mm ring) and its link with the 48-hour rule.	NSW DPI		

No.	Action	Whom	Comments	Status
26.12	DPI to engage proponent and provide further advice for consideration by CommFish.	NSW DPI		
26.13	Items 2 & 4 Move to the next step (BEP working group). Refer to Appendix B	NSW DPI		
26.14	Move to the next step (BEP working group) subject to any issues that DPI may identify in which case it should be returned to CommFish.	NSW DPI		
26.15	NSW DPI to prepare papers for consideration by CommFish.	NSW DPI		

Appendix B – Outcomes from discussion on Business Efficiency Program

Topic discussed	Noted	CommFish Recommendation	Action
<p>1. CommFish Paper 38 - EG Fishery - Size of eel traps</p>	<p>During meeting 18, CommFish requested more information from the proponent before making a recommendation on increasing the size of eel traps. Following investigations, DPI informed council the proposal was referred by the PFA and that the proponent was unknown (or details could not be provided). Fortuitously, CommFish was able to identify the proponent during the meeting and asked that DPI engage him.</p>	<p>DPI to engage the proponent and provide further advice for consideration by CommFish.</p>	<p>26.12 DPI to engage proponent and provide further advice for consideration by CommFish.</p>
<p>2. CommFish Paper 39 – EG Fishery- Number of meshing nets that may be used</p>	<ul style="list-style-type: none"> • During meeting 17, CommFish requested more information from the proponent before making a recommendation on allowing additional meshing nets to be used by fishers who hold multiple meshing endorsements. • Following investigation, DPI relayed advice received from the proponent including: • the proposal would help the proponent to maximise his profitability by removing the requirement for him to employ someone else to operate his second business • the proponent has a history of using additional nets prior to it being prohibited many years ago • region 7 fishers have lost significant access to waters, and this would help those that remain to be viable 	<p>That the proposal progress to the next step of the BEP but only for region 7 of the Estuary General Fishery in recognition of the unique circumstances for fishers in this region.</p>	<p>26.13 Move to the next step (BEP working group).</p>

Topic discussed	Noted	CommFish Recommendation	Action
<p>3. CommFish Paper 40 - EG Fishery - Use of bait nets in various waters</p>	<p>During meeting 20, CommFish requested more information from proponents on proposals concerning the use of a bait nets in new waters prior to making a recommendation. NSW DPI contacted three of the proponents:</p> <ul style="list-style-type: none"> Two proponents confirmed it was the PAB net that they were interested in, not the bait net, and One proponent from the Clarence River advised interest in both the bait and PAB net. The remaining proponents are unknown (or details could not be provided). CommFish agreed to progress the following subject to any issues that DPI may identify when preparing a background paper for the BEPWG: <ul style="list-style-type: none"> Endorsement requirement: category 1 hauling endorsement holders Net description: PAB net only, as per current regulation Species: Australian Sardines, Whitebait and Anchovies (DPI to check that this includes Sandy Sprat) Waters: waters identified in BEP proposals, as follows, subject to spatial and temporal restrictions below: Tweed River, Richmond River, Clarence River, Nambucca River, Crookhaven River, Port Stephens, Hawksbury River, Lake Illawarra, Shoalhaven River Temporal restrictions: for each of the waters concerned, as per restrictions applying to the GP hauling net in those waters. Spatial restrictions: for each of the waters concerned, as per restrictions applying to the GP hauling net in those waters. 	<p>That the proposal, as determined by CommFish (see column to left), progress to the BEPWG subject to any issues that DPI identify.</p>	<p>26.14 Move to the next step (BEP working group) subject to any issues that DPI may identify in which case it should be returned to CommFish.</p>
<p>4. CommFish Paper 41 – OT&L Fishery – species restrictions south</p>	<p>During meeting 17 CommFish requested a paper on this proposal for its consideration. During this meeting (meeting 26), CommFish noted:</p> <ul style="list-style-type: none"> current restrictions are difficult to enforce, and fishers are likely misreporting their catch against their endorsements 	<p>That the following progress to the next step of the BEP: For school and gummy shark endorsement holders, a byproduct bag limit of 50 kg.</p>	<p>26.13 Move to the next step (BEP working group).</p>

Topic discussed	Noted	CommFish Recommendation	Action
of the Moruya River	<ul style="list-style-type: none"> allowing byproduct (excluding species subject to quota) may reduce waste and improve profitability School Shark is depleted (overfished) and there should be no increase in landings there are pros and cons to carcass and kilogram byproduct limits for Gummy Shark 	For line (east) and line (west) endorsement holders, a by-product bag limit of 5 Gummy Shark only.	
5. CommFish Paper 42 – EG - Fishery – Meshing in the Nambucca River, Warrell Creek and Merimbula Lake	<p>During meeting 19, CommFish considered proposals concerning meshing in currently closed areas in the Nambucca River, Warrell Creek, and Merimbula Lake and agreed to discuss these with RFNSW.</p> <p>During this meeting (meeting 26), CommFish agreed to revisit its approach to discussions with RFNSW.</p> <p>Council asked that NSW DPI prepare the following for further consideration by Council:</p> <ul style="list-style-type: none"> a paper for Council highlighting key decision points and including suggestions (i.e., who to meet with, when to meet, who from CommFish or DPI to attend, etc.) a draft RFNSW background paper for Council to consider that includes an approach covering all proposals for increased access to estuarine waters with focus on the species they relate to (e.g., prawns, eels, mullet, bait spp.). <p>Council considered that proposals concerning meshing could have a greater chance of success if limited to the taking of Mullet and labelled as ‘Mullet netting’.</p>	NSW DPI to prepare papers for consideration by Council (see column to left).	26.15 NSW DPI to prepare papers for consideration by CommFish.