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| MEETING     | Recreational Fishing NSW Advisory Council  |
| MEETING NO. | Meeting 6  |
| DATE        | 31 Aug, 1 Sep 2017   |
| LOCATION    | Port Stephens Fisheries Institute, Taylors Beach Road, Taylors Beach   |
| ATTENDEES   | Johann Bell (Chair), Max Castle, Vic Levett, Chris Cleaver, David Rae, Jo Starling, Matt Hansen, Matthew Poulton, Paul Lennon, Ray Tang, Steve Samuels, Vicki Lear, Stan Konstantaras, Karl Mathers, Peter Turnell |
| APOLOGIES   | Greg Reid  |

### **1. Chair's introduction**

The Chair welcomed members to the sixth meeting at the Port Stephens Fisheries Institute.

### **2. Register of interests**

The Chair requested that members declare any additions to the Register since the last meeting. Paul Lennon stated he was planning to set up an estuary guiding business. The Chair determined there was no current conflict of interest with Mr Lennon's proposal.

### **3. Agreement on the agenda**

RFNSW members agreed on the agenda for this meeting.

### **4. Adoption of the record of the previous meeting**

The draft outcomes of Meeting 5 were accepted without change as a true and accurate record of that meeting.

### **5. Future meeting schedule**

Meeting 7: 7 December, Sydney

### **6. Review of achievements and action items from previous minutes**

The Committee noted the progress on action items from the previous meeting.

### **7. Progressing the top 10 priority issues: reviewing status**

Council members have previously identified a list of the top ten issues to be addressed on a priority basis. A 'live' structured RFNSW work plan, with specific actions and responsibilities related to each issue is being maintained. The status of the various actions was discussed and further actions developed where required.

Regarding the top ten issue related to the Mulloway Recovery program, Max Castle informed Council about the proposed bridge replacements at Batemans Bay and Nelligen.

RFNSW recognised that the current pylons provide excellent structure for Mulloway and options should be considered for maintaining this habitat. This could include retaining the piles in their entirety or cutting them to about one metre above the river bottom.

**Action Item:** Members to provide comments on options for retaining the bridge pylons at Batemans Bay and Nelligen, noting the pylons provide valuable underwater structure. Chair to write to the relevant person in the local council to make the case for retaining as much of the old bridge as possible to facilitate recreational angling, and at minimum to retain much of the existing underwater structure of the bridge pylons.

**Action item:** The Chair to write to the Minister to request an update on the Hawkesbury bioregion assessment.

## **8. Top 10 issue: Stock assessments of key species - Snapper**

DPI provided a presentation on available biological and monitoring information on the status of the Snapper stock in NSW. This follows on from similar information provided for Kingfish at meeting 5, which RFNSW used to identify and propose changes to management arrangements for that species (see below).

The assessments for both species show that stocks in NSW are 'growth overfished', that is, too many relatively small fish are being caught, which is reducing the quality of recreational fishing and resulting in low catch weights for the commercial sector.

To improve the resource base for both the recreational and commercial sectors, RFNSW recommends the following changes to fishing regulations for these two species.

### Kingfish

- Increase the minimum legal length from 65 cm to 75 cm
- Reduce the recreational bag limit from 5 to 2 fish, with only one fish over 100 cm
- Prohibit lead lining by recreational fishers
- Limit the annual commercial landings to the 5-year average catch for the period 2012-2016
- Review the annual commercial catch and recreational bag limit every five years.

### Snapper

- Increase the minimum legal length from 30 cm to 35 cm
- Reduce the recreational bag limit from 10 to 5 fish, with only one fish over 70 cm
- Limit annual commercial landings to the 5-year average catch for the period 2012-2016
- Review the annual commercial catch and recreational bag limit every five years.

RFNSW agreed that the Minister should be asked to arrange consultations between DPI and the Aboriginal, recreational and commercial fishing sectors (including the East Coast Snapper Assessment committee), and the general public, to i) consider these recommendations; and ii) implement them to the greatest extent possible for the benefit of the people of NSW within the next 12 months.

**Action item:** The chair to write to the Minister about the recommended changes to the regulations for Kingfish and Snapper, and the proposed consultations, described above.

## 9. Presentation on the Fish Passage Strategy

Dr Matt Gordos, DPI Manager Fish Passage Unit, is a representative of the Ministerial task Force on Fish Passage. Dr Gordos made a presentation to Council on the key goals, expected outcomes and priorities of the Fish Passage Strategy which is being developed by the Task Force.

The many barriers to fish migration that have been built on the waterways NSW have resulted in fragmentation of important fish habitats, and reduced recruitment of native fish, leading to a decline in fish abundance. The Fisheries Management Act (1994) makes provision for fishways or fish by-passes to be included when constructing dams, weirs or reservoirs. This legislation has facilitated implementation of some effective fish passage strategies. Additionally, increased movement of native fish is a goal in the Basin Wide Environmental Watering Strategy for the Murray-Darling Basin ([https://www.mdba.gov.au/sites/default/files/pubs/Final-BWS-Nov14\\_0816.pdf](https://www.mdba.gov.au/sites/default/files/pubs/Final-BWS-Nov14_0816.pdf)).

There are currently 5,000 barriers to fish passage across NSW. The Ministerial Fish Passage Task Force has identified 159 priority sites requiring fish passage. Priority is given to mainstream waterways and key habitat sites. An IPART assessment has been completed ([http://www.waternsw.com.au/\\_data/assets/pdf\\_file/0008/122975/WaterNSW-Response-to-IPART-Issues-Paper-on-Rural-Pricing.pdf](http://www.waternsw.com.au/_data/assets/pdf_file/0008/122975/WaterNSW-Response-to-IPART-Issues-Paper-on-Rural-Pricing.pdf)), and funding allocated to Water NSW to implement a fish passage strategy.

RFNSW agreed that a complementary approach to target important inland fisheries issues, involving construction of fishways at priority sites, carp control, thermal pollution and installation of screens on irrigation pumps, would help facilitate positive long-term outcomes for fish stocks.

**Action Item:** The Chair to write to the Minister recommending that a complementary approach should be used to improve inland fish stocks, involving fishways, carp control, thermal pollution and screening of irrigation pumps.

## 10. Presentation on DPI Aquaculture initiatives and hatchery tour

### a) DPI Aquaculture

The DPI Aquaculture Unit made a presentation on the Marine Aquaculture Research Lease off Port Stephens, which is a joint research project between DPI and Huon Aquaculture. Two sea pens have been installed so far off Hawks Nest at Port Stephens for Kingfish aquaculture, and more sea pens are being built. Kingfish produced at the Port Stephens Fisheries Institute have been stocked into the pens for commercial grow-out. The presentation focussed on establishment of sea pens, operations and environmental monitoring.

Stan Konstantaras raised some issues regarding the Lease, including potential offsets arising from loss of access due to the sea pens and the potential environmental impact of hydrogen peroxide which is being used by Huon to manage naturally occurring skin and gill flukes. DPI advised that a comprehensive Environment Impact Statement and Modification Application had been prepared for operation of the Lease, which addressed the use of chemicals. Hydrogen peroxide is known to have a low environmental risk because it breaks down naturally to oxygen and water and has been used in sea pen aquaculture for over 25 years. Huon is working with the University of Newcastle to monitor water and sediment quality on a routine basis to detect any impacts of the aquaculture operations. DPI also advised that local recreational fishers have reported no issues with loss of access, and have

been observed to be actively fishing around and within the Lease area.

DPI also informed Council about the development of the NSW Marine Waters Sustainable Aquaculture Strategy. This is a two-part project, looking at approvals, best practice and a site identification process for future initiatives. RFNSW members will be provided with the draft strategy once developed.

DPI also advised about a successful partnership between DPI, RMS and the oyster industry to develop educational material to raise the profile of oyster lease protection and how to encourage responsible boating around this infrastructure. Mainstream and social media, and a video series, have been used and more content is being prepared for this summer. A Draft Code of Practice was also distributed for comment by members.

**Action item:** RFNSW members to provide feedback on the Draft Code of Practice for fishing around oyster leases.

RFNSW also sought information on the impact of White Spot Disease, which was detected in South East Queensland last year. DPI advised there is no evidence of White Spot Disease in NSW prawn farms or in wild caught prawns. The Department is working together with other jurisdictions (states, territories and the Commonwealth) to help minimise the risk of White Spot Disease spreading. There are also a number key messages for recreational fishers, which can be viewed at <http://www.dpi.nsw.gov.au/fishing/pests-diseases/animal-health/aquaculture/white-spot-disease/important-information-for-recreation-fishers-use-of-prawns-as-bait>.

DPI also presented a proposal for introduction of a voluntary closure on fishing within 100 m of a prawn farm inlet/outlet on the Clarence River. There are three farms in NSW, two on Palmers Island and one on Micalo Island. Prawn farmers are seeking the support of recreational fishers to manage the threat of White Spot Disease being introduced to NSW and this ban will assist with mitigating the threat. RFNSW did not identify any problems associated with the proposed voluntary closure.

#### **b) Marine fish hatchery and stock enhancement initiatives**

DPI Aquaculture Research Scientist, Stewart Fielder, led RFNSW on a tour of the marine fish hatchery. RFNSW was advised it has been a bumper year for bass production and around 180,000 bass had been stocked into NSW dams and impoundments so far. Members were able to view more of the cultured bass fingerlings in hatchery tanks being reared for release. It is anticipated that up to 500,000 bass in total may be stocked this year.

RFNSW members also viewed wild caught Mulloway hatchery broodstock currently on site at the hatchery. These broodstock are subjected to a photo-thermal regime to stimulate gonadal development. It is proposed to attempt hormone induction at the end of October, with the hope that this will lead to spawning and egg collection 36 hours later. Spawning of wild Mulloway broodstock in captivity is challenging – an earlier attempt in May this year was unsuccessful. Kingfish being produced for the Huon Research project were also viewed by RFNSW members.

### **11. Screens on irrigation pumps**

Matt Hansen and Karl Mathers reported that millions of fish are being lost every year through unscreened irrigation pumps. The Inland Waterways Rejuvenation Association recently published an open letter that encouraged the adoption of fish screening as part of future irrigation industry initiatives. The letter calls for action from the irrigation industry to commence fish screening trials, and ultimately to the implementation of suitable screening techniques for Australian rivers. These measures are expected to lessen the impact of irrigation pipes on fish and other aquatic organisms.

RFNSW recommended that a trial of screens for irrigation pumps should be implemented in NSW as part of a range of complementary measures discussed during the presentation by Dr Gordos. If successful, the trial could encourage industry participation at a grass roots level. It was acknowledged that there are technology challenges in Australia compared to the United States where screens are the norm. Nevertheless, Mr Hansen reported there had been positive feedback during his discussions with some industry representatives. RFNSW recommended that DPI develop a Trust funding application for a small-scale trial of screens on irrigation pumps.

**Action Item:** The Chair to write to the Minister to request that DPI staff develop a Recreational Fishing Trust funding application for a small-scale trial of screens on irrigation pumps.

## 12. Update on recreational fishing access issues

DPI provided a short update on each of the following fisher access projects:

- Sydney Harbour – DPI and the RFA are working closely with relevant planners on the proposed “arts hub” development at Piers 2/3/4/5 and developing options for maintaining fishing access. Development of an angler Harbour fishing guide is also proposed.
- Ecohuts program – DPI is proposing to launch a further trial of seven huts in October.
- Recreational fishing around oyster leases communication plan – DPI is producing an educational video expected to be released for the summer fishing season.
- Implementation of the trophy fishery concept for flathead in recreational fishing havens – Lake Macquarie is being included in the trophy fishery program following successful implementation and local community acceptance in St Georges Basin and Tuross Lakes.
- Recreational fishing for visitors in NSW national parks – DPI has been working closely with the National Parks Wildlife Service to develop a Strategic Framework for visitors participating in recreational fishing in national parks. The Framework is nearing completion.
- Risk assessment of recreational fishing opportunities in Sydney impoundments – DPI has recently appointed a consultant to undertake the risk assessment.

## 13. Managing fishing tournaments in RFHs and elsewhere in NSW

There are a number of annual fishing competitions held on the Tuross Lake recreational fishing haven which do not follow catch and release practices. All these competitions are run by non-local organisations. Ms Starling has anecdotal evidence which suggests that one group has little regard for size or bag limits and often there is significant wastage and dumping of fish. Ms Starling questioned how to make competitions in RFHs more sustainable?

DPI provided a presentation on the DPI Fishing Events Management Program which works closely with fishing competition organisers to improve the environmental performance of their events. Examples of various events were provided, including major catch and kill competitions that have been transformed into catch and release events or events with more sustainable competition rules without impacting the number of competitors and appeal of the events. These changes had been achieved without regulation and through working together to get incremental changes improving the environmental credentials of the event. DPI also highlighted some of the other previous issues encountered, including permits to hold competitions in marine parks, charity fish auctions and other issues previously

discussed with the former advisory council.

DPI requested that Ms Starling provide contact details of the competition organisers that she was concerned about so that DPI can network with them. RFNSW also discussed options for the Fishing Events Management Program to offer prizes for events that demonstrate enhanced environmental performance (for example, implementing catch and release) as an additional incentive. DPI advised this option could be implemented under the current program.

**Action item:** Jo Starling to provide contact details of the clubs or competition organisers of her local events so that DPI can facilitate the inclusion of their events in the Fishing Events Management Program.

#### **14. Top 10 issue: Lobster and abalone recreational fishing rules**

RFNSW discussed the current recreational fishing rules for rock lobster and noted the limitations of the arrangements for fishers on the North Coast which has lower abundance of Eastern rock lobster due to its northern limit. It was noted by the North Coast representative that an increase in the number of traps from one to two may address this issue. Similarly, it was noted the bag limit of two along the NSW coast can be restrictive due to the intermittent nature of lobster catches. Given the improved status of the stock, RFNSW proposed that the bag limit be increased from two to three.

RFNSW discussed the justification for the recreational fishing Abalone bag limit to be increased from two to five, noting the ongoing recovery of the stock. RFNSW recommended that the Minister requests DPI to consult with the Aboriginal, recreational and commercial fishing sectors and the general public to consider these Lobster and Abalone recommendations within the next 12 months.

RFNSW recognised that the various proposals (including for Kingfish and Snapper) may be subject to or require different community consultation processes. This may also provide opportunity to consult about the current discrepancy between the recreational and commercial blue swimmer crab size limits (6 cm and 6.5 cm, respectively) and current issues with the use of witches hats. There was agreement by RFNSW that the recreational size limit for blue-swimmer crabs should be the same as the commercial size limit and that the need for consultation with the public on the crab issues should also be included in the letter to the Minister.

**Action item:** The Chair to write to the Minister to request DPI to consult with the Aboriginal, recreational and commercial fishing sectors and the general public on the RFNSW proposals for Lobster and Abalone recreational fishing rule changes within the next 12 months. The letter should also reference current issues associated crab fishing issues such as the current discrepancy between the recreational and commercial blue swimmer crab size limits and the use of witches hats.

DPI also advised that the Section 8 closure made under the Fisheries Management Act 1994 prohibiting the weekday take of Abalone by recreational and Aboriginal cultural fishers between the waters of Port Stephens and Wreck Bay, no longer applies. Abalone fishing in the area subject to the closure had been restricted since 2002 due to concerns regarding abalone stocks after Perkinsus disease events. However, it is now considered that stocks have recovered to a level that can sustain harvest.

#### **15. Presentation from DPI Fisheries Compliance**

Pat Tully, Director Fisheries Compliance, provided an update on current fisheries compliance strategies and actions, including a summary of fisheries offences, case studies of various operations, recruitment strategies and future planned compliance activities.

The key program areas in the DPI compliance unit are: Recreational, Commercial, Aquaculture and Conservation. The goals of the DPI compliance unit are to maximize voluntary compliance and to create effective deterrents. The compliance framework involves education, stakeholder engagement, action, monitoring and review. Mr Tully also presented details of the National Fisheries Compliance Strategy, which DPI is associated with. ([http://www.dpi.nsw.gov.au/\\_data/assets/pdf\\_file/0004/663007/445-16-Australian-Fisheries-National-Compliance-Strategy-2016-2020.pdf](http://www.dpi.nsw.gov.au/_data/assets/pdf_file/0004/663007/445-16-Australian-Fisheries-National-Compliance-Strategy-2016-2020.pdf)).

DPI advised that Fisheries Officers are being equipped with the latest technologies, such as handheld infrared scopes and cameras and surveillance cameras, to support overt and covert surveillance to maximize compliance operations.

Council members Stan Konstantaras and Matt Hansen raised issues regarding illegal fishing in NSW, e.g., recent social media regarding the 'Cod Squad' and current strategies being implemented by DPI to address illegal fishing and operation of Fisheries Officers in inland areas.

Mr Tully acknowledged that the Compliance Unit faces some challenges when responding to reports of illegal fishing from the community. These challenges include large geographical compliance districts, the high volume of reports through the Fishers Watch line and the significant resourcing required for prosecutions. A key message is that the community should continue to make reports when they witness illegal fishing activities because every piece of information contributes to intelligence gathering and identification of 'hotspots' requiring targeted compliance action.

**Action item:** RFNSW to set up a sub group to meet with the DPI Compliance Unit to discuss recreational fishing related compliance issues.

## **16. Top 10 issue: Update on development of social licence strategy document for recreational fishing In NSW**

Jo Starling will lead a meeting with the social licence subgroup in Nowra to progress development of contractor specifications to engage a specialist to develop a social licence strategy document for review by RFNSW.

**Action item:** RFNSW social licence subgroup to meet to progress development of a social licence strategy document.

## **17. Developing improved communication with fishers**

Matt Hansen raised the issue of developing enhanced communication initiatives to promote Issues such as closed seasons, fishing rules and sustainable fishing practices. The Inland Waterways Rejuvenation Association recently ran TV advertising to promote the cod closed season in inland areas. Mr Hansen indicated there were a range of key messages which could be promoted more widely, such as illegal fishing, endangered species awareness, correct fish handling techniques etc.

The DPI Recreational Fisheries Management Unit provided a summary of its wide range of current communication methods for recreational fishing across its various programs, including print, electronic and social media. Some of this communication includes

interaction with the DPI Media Unit. This media is used to promote Recreational Fishing Trust outcomes, fisheries sustainability and fishing participation.

RFNSW discussed options for enhanced media. Karl Mathers indicated that ideally all recreational fishing communication should be coordinated under a communication strategy to maximise its effectiveness and reach. This includes promotion of consistent messaging and identification of target audiences through a range of media. RFNSW noted that the Recreational Fishing Trust Expenditure Committees had also expressed interest in enhancing Trust communication.

RFNSW acknowledged that recreational fishing communication is an extensive process and any enhancements across all the different programs should be coordinated under one process to avoid a disjointed approach.

**Action item:** The Chair to write to the Minister to request a meeting with himself, Bruce Schumacher, Dr Geoff Allan, Deputy Director General DPI Fisheries and Peter Turnell, Group Director, Recreational and Aboriginal Fisheries to discuss 1) a process for improved communication for recreational fishing to increase reach and exposure to fishers and 2) the peer-review research panel proposal discussed at meeting 5.

## **18. Seafood Safety**

Stan Konstantaras advised of the concerns of the Recreational Fishing Alliance about seafood safety and the current knowledge gap around contaminants that may impact our seafood.

**Action item:** Stan Konstantaras to liaise with Peter Turnell, Group Director, Recreational and Aboriginal Fisheries to discuss the RFA concerns regarding seafood safety with a view to developing an approach on how this issue can be addressed.

## **19. General business**

### a) Offshore artificial reef locations

#### i) Proposed location of Merimbula offshore artificial reef (reef 5)

DPI advised that it is consulting with all relevant stakeholders on the proposed specific location of the Merimbula offshore artificial reef. Any comments on the location should be forwarded to DPI.

#### ii) Long-term 3-year deployment strategy

At the previous meeting, DPI advised that a long-term artificial reef deployment strategy (between 2018 and 2020) has been developed, which outlines deployment plans over this period based on a detailed site suitability assessment, rather than the current reef by reef approach. At the previous meeting, RFNSW was generally supportive of the first four priority sites for reefs 6 – 9 which ranked highest in the site suitability assessment. On 28 July, the Minister announced Tweed Heads was to be one of these four priority sites for an offshore artificial reef. The other locations will be announced soon.

### b) Enhancing social media outcomes for RFNSW

DPI has made a private Facebook group for RFNSW members to discuss issues and share information privately.

An action item from the previous meeting was for DPI to facilitate a social media etiquette



seminar for inclusion in the next meeting agenda. A seminar will be scheduled for the next meeting in Sydney.

**Action Item:** DPI to invite RFNSW members to be members of the Council Facebook group.

**Action Item:** Social media etiquette training for RFNSW to be scheduled at next meeting.

#### c) Update on native title

In response to queries from RFNSW members about native title, DPI provided an overview summary of the process for native title recognition, the role of the National Native Title Tribunal and the negotiation process facilitated through Indigenous Land Use Agreements. DPI also provided an update on the Yaegl Native Title and fishing -

[http://www.dpi.nsw.gov.au/\\_data/assets/pdf\\_file/0007/735640/Yaegl-Native-Title-and-Fishing.pdf](http://www.dpi.nsw.gov.au/_data/assets/pdf_file/0007/735640/Yaegl-Native-Title-and-Fishing.pdf).

#### d) Opera house traps

At the last meeting, RFNSW discussed options for reducing the incidents of animal mortality in opera house traps including public education, trap modifications or a phase out of the use of these traps. Modifications to the traps have been shown to decrease the incidents of air breathing animal entanglement, however, they have not been 100% effective. The Australian Platypus Conservancy has since recommended a ban on opera house traps. RFNSW has written to the Minister on this issue and is awaiting a response.

#### e) Rockfishing safety

Stan Konstantaras advised the Australian National Sportsfishing Association (NSW Branch) has been running the angel rings program since 1994 and over 100 rings have been installed and maintained to improve rock fisher safety. Mr Konstantaras was pleased to report that ongoing public liability issues associated with the rings are being resolved through a revised licence agreement with the Department of Lands.

Mr Konstantaras also raised concerns about the lack of compliance with the requirement for rock fishers to wear Australian standard lifejackets in the Randwick local government area.

**Action item:** The Chair to write to the Minister to request an extension to the current one year trial of mandatory lifejackets in the Randwick local government area beyond 30 November 2017, and to consider removal of the reference to the Recreational Fishing Trust in the Rock Fishing Safety Act 2016 (NSW).

#### f) Bowfishing for carp trial update

DPI recently conducted an 18-month trial of bowfishing for carp in NSW inland waterways. The trial is now under evaluation and DPI has conducted both participant and internal surveys. A report will be prepared on the trial and surveys which will include further consideration of whether to roll out bowfishing for carp more permanently across NSW.

#### g) Warrell Creek, Nambucca River, recreational fishing haven

Dave Rae has advised that he has been contacted by a local resident expressing concern about commercial fishing activity in Warrell Creek (tributary of Nambucca River) which he considers is adversely affecting Nambucca's tourist development. DPI advised RFNSW about the current policy on Fisheries Resource Sharing in NSW -

[https://www.industry.nsw.gov.au/\\_data/assets/pdf\\_file/0013/80311/Policy-Fisheries-](https://www.industry.nsw.gov.au/_data/assets/pdf_file/0013/80311/Policy-Fisheries-)

[Resource-Sharing-in-NSW.pdf](#) and the status of the Commercial Fishing Business Adjustment Program.