

MEETING	Meeting outcomes: Recreational Fishing NSW Advisory Council
MEETING NO.	Meeting 10
DATE	30 – 31 August 2018
LOCATION	Coffs Harbour
ATTENDEES	Johann Bell (Chair), Steve Samuels, Jo Starling, Vic Levett, Matthew Poulton, Paul Lennon, Ray Tang, David Rae, Vicki Lear, Karl Mathers, Matt Hansen, Peter Turnell.
APOLOGIES	Chris Cleaver, Max Castle, Stan Konstantaras, Greg Reid

1. Chair's introduction

The Chair welcomed members to the tenth meeting at Coffs Harbour. In his welcoming remarks, the Chair emphasised the import need to prepare a preliminary submission on RFNSW's recommendations in relation to the proposed Sydney Marine Park.

2. Register of interests

The Chair requested that members declare any additions to the Register since the last meeting. No interests requiring addition to the register were raised.

3. Agreement on the agenda

RFNSW members agreed on the agenda for the meeting.

4. Adoption of the record of the previous meeting

The draft outcomes of Meeting 10 were accepted without change as a true and accurate record of that meeting.

5. Future meeting schedule

Meeting 11: 22 November 2018, Sydney. Meeting 11 will be a joint meeting with CommFish and a joint meeting is proposed with the Aboriginal Fishing Advisory Council in 2019.

6. Review of achievements and action items from previous minutes

Council noted the status of achievements and action items from the previous meeting.

7a. Progressing the top 10 priority issues: reviewing status

Council members have identified details of key issues in their regions, sectors or fields, which have been collated into an issues summary document. A 'live' structured RFNSW work plan with specific actions and responsibilities is being maintained. The status of the various actions was discussed and further actions were developed where required.

7b. Top 10 issue: Mulloway Recovery Program

In response to questions from Council members about the amount of Mulloway that can be taken each day by commercial fishers, DPI advised that when the Mulloway Recovery program was implemented in 2013, an additional restriction was placed on Ocean Hauling fishers that restricts them to a 500 kg possession limit of Mulloway for endorsement holders. Since the possession limit was implemented, the Ocean Hauling fishery has accounted for around 5% of the total commercial catch of Mulloway. Following implementation of the Business Adjustment program, minimum shareholdings for each Ocean Hauling region have increased. It is not apparent that any laws were broken in regard to the reported haul of Mulloway at Eden.

RFNSW discussed the need for a more proactive approach to the management of Mulloway, including triggers with associated pre-determined management actions, which can provide for quicker management responses when triggers are reached. DPI advised that the Department is moving towards development of 'harvest strategies' for certain fisheries, which typically have fishery objectives, performance measures, data collection methods, and trigger points for pre-agreed management actions.

Action item: The chair to write to the Minister to advise that RFNSW recommends a more proactive approach for the management of Mulloway, involving development of a strategy/plan with performance monitoring, and triggers with associated pre-determined management actions (such as changes to fishing rules, implementation of quota, bycatch reduction/elimination etc.) where stock assessments indicate that the recovery programme is not achieving its objectives.

Action item: RFNSW to discuss methods to distinguish commercially-caught fish from other fish at the future joint RFNSW/CommFish NSW session.

RFNSW also discussed the issue of the removal of mesh net registrations and whether this provides the opportunity for commercial mesh netters to target larger Mulloway, potentially resulting in increased harvests of adult fish.

Action item: DPI to provide an assessment to Council of the potential effects of removal of mesh net registrations on abundance of adult Mulloway.

Action item: DPI to provide better and more regular updates to fishers on research monitoring of key species. This should include new ways to inform the recreational sector about the status of fish stocks and emerging issues like to cause increased depletion of stocks.

7c. Top 10 issue: Strengthening social licence for recreational fishing in NSW.

Jo Starling provided an update on the development of a stronger social licence for the recreational fishing sector, including the launch of 'Fish for Life' at the recent Australian Fishing Trade Association Trade Show in Queensland. Jo identified the challenges associated with promoting the responsible use of the Fish for Life logo by external parties. It was recognised that external parties have an important role to play in supporting and extending the use of the identifier to promote the benefits of recreational fishing. RFNSW

recommended that user accessibility guidelines and an implementation plan be developed to guide how the Fish for Life identifier can be used in the public arena. This measure is needed to ensure responsible use of the identifier, and to facilitate retraction when the identifier is misused.

Action item: DPI to facilitate preparation of user accessibility guidelines for the Fish for Life identifier, together with an associated Code of Conduct and an implementation plan (using a social licence specialist if required and desktop research).

Action item: A Recreational Fishing Trust funding application and a procurement strategy for Fish for Life promotion should be developed. DPI (and a RFNSW representative if available) to make a presentation about this issue at the next expenditure committee meetings.

Action item: DPI to commence branding existing DPI programs with the Fish for Life logo, and develop a Fish for Life webpage on the DPI website.

7 d. Top 10 issue: Marine estate management update

The NSW Government has committed \$45.7 million to deliver Stage 1 of the Marine Estate Management Strategy, which outlines nine initiatives to address the priority threats to the state's ocean, coastline, estuaries and coastal lakes – known as our marine estate. Initiative 6 of the Strategy – Ensuring sustainable fishing and aquaculture – recognises the many benefits of recreational fishing and will provide for ongoing sustainable use, seek to enhance fishing experiences through a variety of projects, and fill important knowledge gaps.

The NSW Government is proposing a new marine park in the Hawkesbury Shelf marine bioregion (Sydney Marine Park), composed of 25 separate sites in the marine estate between Newcastle and Shell Harbour. This proposal is designed to complement the Marine Estate Management Strategy 2018-2028. A detailed, two-part discussion paper is on public exhibition until 27 September.

RFNSW formed a sub-group consisting of Vicki Lear, Matt Poulton, Stan Konstantaras, Chris Cleaver and Jo Starling to facilitate preparation of a submission on the Sydney Marine Park proposal. The submission is intended to focus on a proposed RFNSW process to investigate and identify alternative strategies to address the threats and risks of recreational fishing activities identified in the assessment.

Action item: Chair to write to the Minister to provide preliminary advice from RFNSW on the Sydney Marine Park proposal. Sub-group to prepare the final submission prior to deadline set by MEMA.

7e. Top 10 issue: Recreational fishing rules for abalone and rock lobster

DPI provided an update on the 2018 determinations by the Total Allowable Commercial Catch Committee for the abalone and rock lobster quota-managed fisheries. These determinations are based on scientific assessment of stocks and other available information. The TACC determines a total catch that can be sustained by the stock each year, including allocations for non-commercial catch. An ongoing recommendation for the recreational

fishing sector is the need for DPI to “obtain more robust estimates of recreational catch” for both fisheries.

Concern was raised by Council members in relation to the estimation of recreational catch in the absence of accurate catch data. DPI advised Council that a tick box option has been added to the recreational fishing licence form to identify recreational underwater harvesters of lobster and/or abalone to provide a sampling frame for subsequent surveys of these niche fisheries. Such recreational catch estimates can be used to inform the quota-setting process.

Action item: The Chair to write to the Minister to 1) advise that a cost-effective recreational catch survey for abalone and lobster be developed, and 2) recommend an increase in the recreational lobster catch from 2 to 3, and the number of traps permitted for recreational use to be increased from one to two. The letter will also recommend the need for DPI to determine estimates of recreational catch data for the two species.

7. Presentation from the Professional Fishermen’s Association (PFA)

Tricia Beattie, PFA Executive Officer, and Joshua Cook, Coffs Harbour Fishermen’s Cooperative, attended the meeting to introduce the PFA to RFNSW members. The aim of the presentation by PFA was to begin a process of engagement with Council on common fisheries related-issues and concerns to foster collaboration in managing shared fisheries resources sustainably.

Action item: DPI to facilitate the joint session with CommFish at Meeting 11 in November 2018.

8. Recreational Fishing Trust matters

a) New applications – project recommendations from RFSTEC and RFFTEC

RFNSW was advised that the Recreational Fishing Saltwater and Freshwater Trust Expenditure Committees (RFSTEC and RFFTEC) met on 3-4 July to review Trust applications received by DPI. A summary of the RFSTEC and RFFTEC recommendations was provided to Council in the agenda.

Recommendation: Council endorsed the recommendations of RFSTEC and RFFTEC relating to Trust funding applications that were supported, and not supported.

Action item: DPI to facilitate a teleconference between DPI Fisheries Research and Stan Konstantaras regarding the Integrated Monitoring Program and associated Research Angler Program.

b) Fish Screening ARC industrial Transformation Research Hub Application

DPI informed RFNSW that the application to the Australian Research Council for supplementary funding for this important research was unsuccessful.

Action item: DPI to submit a project variation request to the Recreational Fishing Freshwater Trust Expenditure Committee.

c) Update on the Compliance sub-group

DPI updated Council on its request for an investigation into the feasibility for fishers to 'opt in' for automatic renewal of 1 and 3 year recreational fishing licences. It was advised that this function is currently not supported by the Government Licensing service, however, the Service has advised they will investigate solutions to potentially facilitate the 'opt in' function (noting RMS have this option with EToll).

DPI also provided advice on Council's previous proposal that fishers who are not complying with the requirement for a fishing licence be required to pay the licence fee with an additional administration fee. Following a review of other government agencies, it appears there is no other comparative licence or fee that makes the non-compliant person pay a licence plus an administration fee. Currently, the revenue for a fishing licence penalty infringement notice is returned to DPI.

Action item: DPI to seek legal advice on whether revenue from penalty infringement notices can be transferred to the Recreational Fishing Trust.

9. Freshwater fishing access – Crown Lands legislation review, access website and new initiatives

DPI provided a presentation to RFNSW about public land use and issues relating to access for anglers in inland NSW. A comparison with New Zealand access rights was also made and it was apparent that NSW anglers had the same access rights as NZ fishers. An update on the new Crown Lands Act was also presented, including an outline of mechanisms for using provisions in the Act to maintain and enhance fishing access.

Action item: The Chair to advise the Minister that RFNSW had previously requested the release of the Access website. Council understands that DPI has been liaising with Crown Lands and Local Land Services regarding the proposed release of the website and requests release as soon as is practical.

10. Update on yabby traps in NSW

Steve Samuels advised Council that Victorian major fishing tackle retailers are no longer selling opera house yabby traps due to the risk they present to platypus and water rats, and that traps will be banned in Victoria in 2019. RFNSW acknowledged the previous intention for community consultation in NSW on this issue but considered a more rapid response is now warranted.

Action item: The Chair to write to the Minister recommending the immediate banning of opera house yabby traps in NSW (similar to the response in Victoria) and substituting the use of these traps with an open top trap design.

11. NSW Bait Security Research Project update

DPI provided preliminary results of the research project entitled 'Bait security – ensuring sustainable and productive NSW invertebrate bait resources'. This project is being undertaken to help evaluate existing arrangements outlined in a Code of Practice for land-based fishing activities associated with NSW charter fishing businesses operating in the Tweed River (introduced in 2015).

DPI advised that a local stakeholder meeting was held on 12 July 2018 to present the results of the research, which show that:

- Yabby populations varied consistently throughout the Terranora Inlet/Broadwater section of the Tweed River system during the study period, likely due to environmental factors and species biology and recruitment; and
- A short-term impact of trampling was observed, but the effects were minor compared to the factors causing seasonal and inter-annual variation.

Stakeholders at the meeting are now working collaboratively to revise and determine fixed areas of operation for land-based charter fishing operators. The current Code of Practice will be amended accordingly following the collaborative consultation.

RFNSW supported the current approach being undertaken to amend the Code of Practice in consultation with stakeholders, which will enable ongoing land-based charter fishing activities in the Tweed River.

12. Rockfishing update

DPI provided an update of the *Rock Fishing Safety Act 2016*, which mandates the wearing of appropriate lifejackets when rock fishing in the Randwick local government area in Sydney. DPI is in discussion with a number of other councils interested in extending the requirements for rock fishers to wear lifejackets in their Local Government Areas. DPI also outlined a range of key safety messages which have been developed in consultation with stakeholders such as the RFA and provided details on proposed communications strategies, including educational videos to be featured on social media and community workshops to be run by DPI and the RFA. RFNSW supported the continued roll out of the rock fishing safety program.

15. General Business

a. RFNSW communication

Council discussed a range of options to improve communication between members and also the recreational fishing community. It was acknowledged that there is a requirement for Council communication and discussion to be documented appropriately and that any communication media would need to be resourced to provide quality service delivery to fishers.

Action item: DPI to review and amend the RFNSW webpage on the DPI website to make it easier for fishers to communicate with RFNSW.

b. Tallowa Dam Fish Lift

DPI advised that the fish lift was currently operating following the repair of a faulty switch in the trapping chamber that had caused the system to shut down.

Action item: DPI to advise regional member Vicki Lear when the Tallowa Dam Lift had become operational following the recent system shut down.

c. Fisheries Officer feedback

Action item: DPI to consider any appropriate mechanism for on-ground compliance staff to provide any feedback to RFNSW from recreational fishers to improve fishing opportunities.

16. Miscellaneous minor amendments to the Fisheries Management Regulation

The latest batch of proposed administrative amendments relating to recreational fishing was provided to Council in the agenda. No issues were raised by members in relation to these amendments.

17. Correspondence

Action item: The Chair to write to Snowy Monaro Regional Council about facilitating opportunities for recreational fishing access and stocking Trout at Lake Wallace near Nimmitabel.

Action item: The Chair to email the two Port Stephens recreational fishers regarding their Mulloway netting concerns.

Action item: The Chair to email John Clarke regarding his concerns regarding regional representation of RFNSW members.

Action item: The Chair to email Brad Withyman regarding financial reporting associated with the Recreational Fishing Trusts

18. DPI Fisheries Recreational Fishing Trust funded program updates

Marine Stocking

DPI provided a program update, including a pilot research stocking program underway to assess the potential for small-scale stocking of Yellowtail Kingfish as a fisheries enhancement tool. Botany Bay and Lake Macquarie are being stocked with kingfish which will be around 20 cm in size. Further broodstock collection of Mulloway is currently underway to facilitate a spawning attempt during the summer of 2019.

Gamefish Tagging

DPI provided RFNSW with a summary of the Game Fish Tagging Program, which was first established in 1973. Over 460,000 fish have been tagged to date. RFNSW was also provided with an update of the 2017/18 fishing season, where over 11,000 fish were tagged and over 170 fish recaptured. DPI described the commencement of the broadbill swordfish satellite tagging project with the first fish to be tagged during the 18/19 season. Communication with program participants and stakeholders continues, with regular program updates provided through a broad range of communication channels. Promotion continues with new shirts, hats and certificates as well as the top tagging trophies. RFNSW also noted the various uses of the tagging data for management, and in scientific applications, scientific papers, reports, books etc.

19. Breakaway float and littering

Breakaway floats are a long standing issue in NSW and can be addressed by anglers using fixed floats that are not designed to break away from the line. In NSW, the EPA advises that

everyone is responsible for their own litter, and if you litter you can be fined. Further, littering is against the law. The Protection of the Environment Operations Act 1997 defines littering as when a person discards materials in a way that makes a place more disorderly or has detrimental effects on the use of that place. Littering is subject to a tiered range of fines

This legislation would apply to disposal of breakaway floats by anglers at sea in NSW. It appears that relevant legislation is currently in place for addressing the issue.

Action item: DPI to implement a social media campaign regarding littering and the responsible use of breakaway floats by fishers.

Action item: DPI to investigate options for regulatory changes to prevent marine debris originating from the use of breakaway floats, such as polystyrene foam and balloons, by recreational fishers. Consideration should also be given to use of floats made of cellulose or similar materials that would break down within hours.

20. Site visit

Council members undertook a tour of the marine hatchery facilities at the National Marine Science Centre (Southern Cross University campus). Members viewed the Mangrove Jack broodstock, the crab breeding investigative work being undertaken by the University and the various recreational fishing displays at the venue.