

NSW Estuary General Fishery Code of Practice

The NSW Estuary General Fishery is subject to the provisions under the Fisheries Management Act 1994 and associated regulations. Fishers are also required to comply with a range of other Local, State and Commonwealth statutory requirements.

In addition, many commercial fishers have expressed their commitment to take on greater responsibility and accountabilities for sustainable fisheries management.

The Estuary General Code of Practice summarises the broad principles under which fishers operate. This Code applies to fishers using a variety of fishing methods in NSW estuarine waters and ocean beaches.

The term “fish” refers to all organisms that may be taken, or interacted with, by estuary general fishers, including finfish, prawns, crabs, pipis, beach worms, eels, invertebrates and sessile creatures.

As a person participating in the NSW Estuary General Fishery I will:

1. Be aware of any changes made to the NSW Estuary General Fishery Code of Practice and to legislation governing the fishery.
2. Be aware of and comply with all legislation including fishing closures.
3. Obtain permissions and comply with any fishing ground access agreements, e.g. use authorised access points, gates and observe closures.
4. Ensure true and accurate records of fishing and catch effort are maintained and submitted in accordance with the Act.
5. Use gear in accordance with the legislation.
6. Minimise the use of hauling nets over areas of seagrass.
7. Only take permitted species.
8. Comply with all size limits as set out in the regulations.
9. Ensure only lawful implements are used to sort catches.
10. Use a discard chute of approved design to return non-retained species to the water when required.
11. Conduct fishing operations in areas, at times, and in a manner that minimises the potential for interaction with protected or threatened species, populations or ecological communities.

12. Ensure any captured cetacean (whale or dolphin) or turtle is released as quickly as possible and with the least possible harm.
13. Return any captured individual of a protected or threatened species, population or ecological community to the water as quickly as possible and with the least possible harm.
14. Ensure any interactions with Threatened, Endangered or Protected species are recorded in catch and effort logbooks.
15. Ensure that all fish landed for sale are marketed in an authorised manner.
16. Comply with the requirements of the NSW Food Authority regarding the handling, icing, storage and transport of catches, to maximise quality and minimise food safety hazards.
17. Comply with requirements of the NSW Food Authority to have a Food Safety Plan in place to minimise food safety hazards associated with the harvest of seafood for human consumption.
18. When travelling or engaging in commercial fishing on ocean beaches, display a NSW Department of Primary Industries authorised sign listing my Fishing Registration Number and Fishing Business Number.
19. Produce fishing business card upon the request of a fisheries officer, or if necessary to ensure the required number of fishers are present for priority determination.
20. Recognise and adhere to the priority rights (regulated or otherwise) among commercial fishers.
21. Be courteous to other waterway users when exercising priority rights.
22. Be familiar with the list of, and methods of identifying, protected species and threatened species, populations and ecological communities that might be encountered during fishing operations.
23. Comply with the by-laws and regulations of relevant local Councils and State Government authorities, and any codes for fishers prepared by these organisations.
24. Use equipment or methods to ensure the least possible harm to any non-retained species returned to the water.
25. Conduct fishing operations, and maintain fishing boats and vehicles, in a manner that minimises environmental impacts.
26. Inform the relevant authority of any significant pollution or other incident that may result in negative environmental impact.
27. Minimise use of vehicles on sensitive shoreline areas such as wetlands and mangroves.
28. Whilst driving on beaches, abide by designated speed limits and reduce speed when near other beach users or flagged areas.
29. Assist with ongoing reviews of the Estuary General Fishery Code of Practice and discuss amongst industry and networks.
30. Conduct fishing operations in a way that minimises disturbance to nesting and feeding sites of migratory and resident shorebirds.
31. Minimise the need to tie up to mangroves and other riparian vegetation.

32. Responsibly dispose of any litter including derelict fishing gear, either generated by or collected in fishing operations.
33. Work with local Councils to signpost entry and exit points used to access fishing grounds.
34. Act professionally and be courteous with any public official or member of the community.
35. Ensure my actions do not bring the industry into disrepute.
36. Ensure fishing operations are conducted with an acceptable level of safety for fishers and the community, including sufficient insurance cover.
37. Minimise any disturbance to the community, e.g. from the use of artificial lighting.
38. Minimise noise associated with fishing operations, especially between 10pm and 5am.
39. Respect the public amenity of boat ramps by avoiding cleaning fish and gear in their vicinity and ensuring that access for other users is not unduly restricted.
40. Be aware of and respect the customs of Aboriginal people.
41. Be pro-active, cooperate and assist any fisheries related research, development and extension programs, for e.g. development of fishing gears and methods to reduce capture of any non-retained species.
42. Be proactive and assist in requests to assist maritime rescue operations.
43. Maintain records of training and education competencies.
44. Be proactive and participate in activities designed to improve community awareness of industry measures that ensure protection and management of fisheries resources.
45. Be proactive and participate in programs that help to develop training and skills, with a view to improve implementation and extension of the Estuary General Fishery Code of Practice.

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