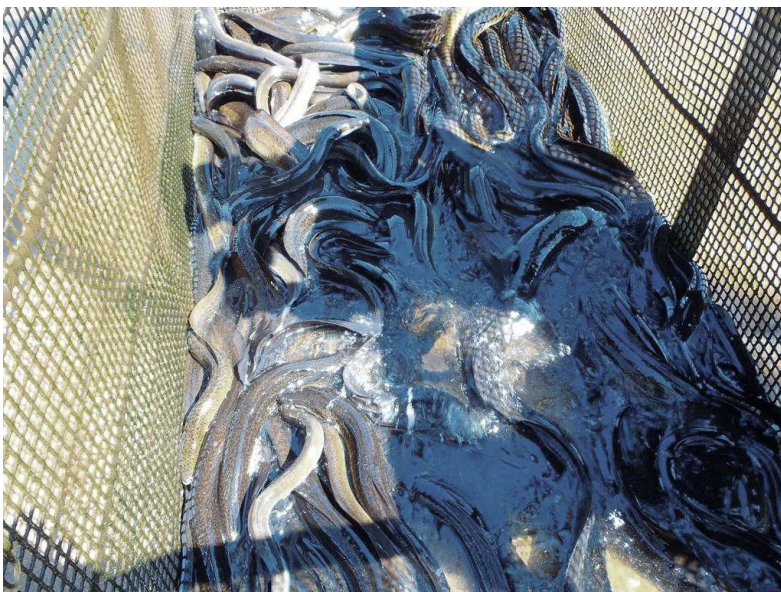




PUBLIC CONSULTATION PAPER:

Reform options for the trapping component of the NSW Estuary General Fishery



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Public consultation paper: Reform options for the trapping component of the NSW Estuary General Fishery

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More information

www.dpi.nsw.gov.au/fisheries/commercial/reform

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Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (March 2014). However, because of advances in knowledge, users are reminded of the need to ensure that information upon which they rely is up to date and to check currency of the information with the appropriate officer of the Department of Primary Industries or the user's independent adviser.

Readers guide

This paper includes reform options for comment that are specific to the trapping component of the NSW Estuary General Fishery (EGF).

Anyone with an interest in these share classes should read the options presented in this paper and, where possible, provide feedback.

The following provides an overview of the documents available:

General information paper	Provides general information about the reform program and issues applicable to all reform fisheries. A ‘must read’ for everyone to understand the background. The paper is titled “ <i>General information relating to the reform program and reform options for the NSW commercial fisheries</i> ”.
Fisheries options papers	These contain information about the options that have been shortlisted for specific fisheries or share classes. They include possible linkages, total catch/effort levels and potential changes to existing restrictions, along with the advantages and disadvantages of each option. A ‘must read’ if you hold shares in, or have an interest in, these fisheries.
This paper you are reading	
Technical paper	A separate paper has been prepared detailing how the proposed total catch/effort levels have been calculated. The paper is titled “ <i>Setting the Interim Total Commercial Access Level (ITCALs)</i> ”.
Submission forms	Submission forms are available for each of the fisheries options papers. Relevant forms will be mailed to all shareholders and will also be available on the reform webpage: www.dpi.nsw.gov.au/fisheries/commercial/reform

Have your say

A key part of the Reform Program is getting valuable feedback and ideas from industry and interested stakeholders. Constructive feedback to help work out the best overall approach will assist in shaping future management arrangements.

The complexity of the options laid out in this paper are acknowledged, as is the difficulty some fishers may have in working through the issues covered. If you require assistance in understanding the options presented or in developing a submission please contact the relevant Fisheries Manager, or the Industry Liaison Manager on the contact details provided below.

DPI staff will be visiting regional ports over the consultation period, during which time commercial fishers will have one-on-one opportunities to discuss questions and issues.

A submission form is available to provide comments. Alternatively, you may submit your comments in another form, such as a letter or summary of your views on each of the reform packages presented in this paper.

Note that submissions may suggest variations to the options presented in the fisheries options papers, provided they are within the broad scope of what the NSW Government approved and announced in November 2012¹ and are consistent with the reform program objectives described below.

However you choose to provide comment, it is important to note that subsequent decisions will be based on merit, rather than numbers for and against particular options.

The closing time for comments is 8am Monday 19th May, 2014.

Send your response to:

Mail: PO Box 4291, Coffs Harbour, NSW, 2450

Fax: (02) 6391 4726

Email: commfish.wg@dpi.nsw.gov.au

Following the closing date, a summary of the submissions will be prepared and made available on the DPI website. In arriving at decisions, the Minister will consider the issues raised in submissions, the views of key stakeholder groups, DPI's advice and final recommendations from the independent Structural Adjustment Review Committee (SARC).

For more information on the NSW Commercial Fisheries Reform Program visit www.dpi.nsw.gov.au/fisheries/commercial/reform

Or contact the Commercial Fisheries Management on (02) 6691 9684.

¹ See www.dpi.nsw.gov.au/_data/assets/pdf_file/0005/448187/Govt-response-to-independent-comm-fisheries-review.pdf

Foreword

The EGF is a diverse multi-species multi-method fishery that may operate in 76 of the NSW's estuarine systems. It is the most diverse commercial fishery in NSW and comprises approximately 600 fishing businesses authorised to utilise 17 types of fishing gear. This fishery is a significant contributor to regional and state economies providing high quality seafood and bait to the community.

The Fishery includes all forms of commercial estuarine fishing (other than estuary prawn trawling which fits within the Estuary Prawn Trawl Fishery) in addition to the gathering of pipis and beachworms from ocean beaches. The most frequently used fishing methods are mesh and haul (fish and prawn) netting. Other methods used include trapping, hand-lining and hand gathering.

Generally, the 10 species that make up over 80% of landings by weight are sea mullet (*Mugil cephalus*) luderick (*Girella tricuspidata*), yellowfin bream (*Acanthopagrus australis*), school prawn (*Metapenaeus macleayi*), blue swimmer crab (*Portunus pelagicus*), dusky flathead (*Platycephalus fuscus*), sand whiting (*Sillago ciliata*), pipi (*Donax deltooides*), mud crab (*Scylla serrata*) and silver biddy (*Gerres subfasciatus*).

The reform options presented in this paper focus on two important components of the broader reform program:

1. creating a stronger link to resource access; and
2. adjusting existing restrictions which have built up over many years and constrain efficiency.

The key objectives of the reform program are to:

- improve the long-term viability of the NSW commercial fishing industry;
- improve the strength and value of shareholders' access rights (i.e. shares); and
- provide shareholders with improved opportunities and flexibility to tailor their access.

The reform options in this paper have been developed by DPI having regard to:

- the Commercial Fisheries Reform Program as approved by the NSW Government in 2012 (after consideration of the *Independent Review of NSW Commercial Fisheries Policy, Management and Administration*);
- ideas submitted by shareholders in writing and through discussions with fisheries managers;
- views from trapping shareholders and the Estuary General Trapping Share Linkage Working Group (TSLWG) put forward at several face-to-face meetings; and
- advice and recommendations of the Structural Adjustment Review Committee (SARC).

The outcomes of meetings of the TSLWG and the SARC throughout 2013 and early 2014 provide insight into the many options and issues considered in the lead-up to developing the reform options in this paper and are available on the NSW DPI website at:

Share linkage working groups (trapping) webpage:

www.dpi.nsw.gov.au/fisheries/commercial/consultation/working-groups/estuary-general-trapping-share-linkage-working-group

SARC webpage: www.dpi.nsw.gov.au/fisheries/commercial/reform/sarc

Contents

Readers guide	ii
Have your say.....	iii
Foreword	iv
Acronyms	vi
Introduction	1
Option 1: Managing endorsement numbers (minimum shareholdings).....	2
Maximum number of endorsements and minimum shareholding requirements.....	2
Option 2: Effort quota regime (trap numbers).....	4
Eel trapping, mud crab trapping and trapping minimum shareholdings	4
Hoop nets and fish trap numbers.....	4
Additional trap numbers.....	4
Acquiring additional traps	4
Option 3: Catch quota regime (eels, mud crabs and blue swimmer crabs)	5
ITCAL determination.....	5
Eel, mud crab and blue swimmer crab catch quota allocation.....	5
Trap limits and additional trap numbers	7
Transferability of catch quota.....	8
How shareholders could use their quota and acquire additional quota.....	8
Potential changes to current restrictions.....	9
EGF trapping fishing closures identified by EGF shareholders for potential amendment	10
Comparison of reform options.....	12
Management costs	13
Appendix 1: Current structure of the trapping component of the EGF.....	14

Acronyms

DPI	NSW Department of Primary Industries
EGF	Estuary General Fishery
GVP	Gross Value of Production ²
ITCAL	Interim Total Commercial Access Level
ITQ	Individually Transferable Quota
IVR	Integrated Voice Response
SARC	Structural Adjustment Review Committee
TAC	Total Allowable Catch
TACC	Total Allowable Commercial Catch
TACE	Total Allowable Commercial Effort
SLWGs	Share Linkage Working Groups
TSLWG	Estuary General Trapping Share Linkage Working Group

² Estimated first point of sale only and calculated using Sydney Fish Market average prices.

Introduction

The trapping component of the EGF includes the following share classes for each of the seven regions within NSW, each with corresponding endorsements:

- Estuary General Eel Trapping
- Estuary General Mud Crab Trapping
- Estuary General Trapping

This paper seeks feedback on three primary reform options for the trapping component of the EGF.

Three primary management options presented for feedback include:

- **Option 1:** Managing endorsement numbers (minimum share holdings) involving a two-stage minimum shareholding program designed to stimulate adjustment (i.e. the trading of shares) over the short to medium term.
- **Option 2:** Effort quota regime (trap numbers) involving managing the total number of traps that endorsement holders may use in the eel trapping, mud crab trapping and trapping share classes of the fishery.
- **Option 3:** Catch quota regime involving managing the total catch of long- and short-finned eels (combined), mud crabs and blue swimmer crabs taken by the eel trapping, mud crab trapping and trapping share classes of the fishery, respectively. Catch of each species are managed by a consumable Individually Transferable Quota (ITQ) of kilograms allocated to fishing businesses proportional to the number of shares held.

Please Note: an error was detected in the above, and has now been corrected in this online version. The sentence referring to ITQs is relevant to Option 3, not Option 2 as contained in the version mailed to shareholders.

Changing management restrictions to improve business and operational efficiency is a key aspect of the broader reform program. In this document, the potential changes to current management restrictions for each linkage option are also presented for consideration.

The ability to implement the potential changes to current restrictions generally increases with the strength of the linkage option, with minimum shareholdings being the weakest form of linkage and catch quota being the strongest (see the general information paper for further information).

To assist in considering the options and providing feedback, a number of advantages and disadvantages have been identified by DPI and the Share Linkage Working Groups (including the TSLWG) as being associated with the linkage options presented.

It is important that the reform options are considered within the overall structure of the fishery. Those unfamiliar with the EGF, including shareholders unfamiliar with current numbers of shareholders and endorsements and the distribution of shares in each share class, are encouraged to read the document 'Share & shareholdings – February 2014' located at: www.dpi.nsw.gov.au/fisheries/commercial/reform/program

Option 1: Managing endorsement numbers (minimum shareholdings)

This option involves actively managing the number of endorsements in the eel trapping, mud crab trapping and trapping share classes of the fishery. The proposal to manage endorsement numbers involves:

1. identifying a **maximum number of endorsements** for each share class; and
2. **increasing the minimum shareholding** requirements in two-stages (60% of the proposed increase to be met by July 2015, and 100% by July 2016) to reduce the number of endorsements in each sector.

Managing endorsement numbers is achieved by applying minimum shareholding requirements that must be satisfied if a shareholder is to remain eligible for an endorsement to fish in the relevant sector. To streamline administration and minimise costs, DPI proposes a consistent approach to implementing this option across all fisheries where it is proposed (e.g. aligning the timing).

Maximum number of endorsements and minimum shareholding requirements

The proposed maximum number of endorsements for each of the trapping share classes of the EGF has been determined using the estimated Gross Value of Production (GVP) of each share class. Specifically, the proposed maximum numbers of endorsements are the numbers of endorsements that accounted for 95% of the estimated GVP of each share class over the 5 year time period 2007/08 to 2011/12.

Tables 1 - 3 list the total number of eel trapping, mud crab trapping, trapping shares, numbers of fishing businesses holding shares as of July 2013, proposed maximum number of endorsements and corresponding minimum share holding requirements to be met by 1 July 2015 and 1 July 2016.

Table 1. Proposed eel trapping minimum shareholdings to be satisfied by 1 July 2015 and 1 July 2016

Region	Shares	No. of FBs holding shares	Maximum number of endorsements	Minimum shareholding 1 July 2015	Minimum shareholding 1 July 2016
1	750	6	3	162	188
2	4,975	39	15	236	311
3	3,575	28	15	184	224
4	6,500	49	14	310	434
5	1,375	11	5	188	230
6	2,300	19	1	740	1151
7	1,850	17	6	209	265

Table 2. Proposed mud crab trapping minimum shareholdings to be satisfied by 1 July 2015 and 1 July 2016

Region	Shares	No. of FBs holding shares	Maximum number of endorsements	Minimum shareholding 1 July 2015	Minimum shareholding 1 July 2016
1	2,375	19	15	139	149
2	6,000	45	32	159	182
3	5,625	45	34	146	161
4	10,450	82	45	186	228
5	1,425	12	4	221	286
6	475	4	2	145	159
7	500	4	3	126	126

Table 3: Proposed trapping minimum shareholdings to be satisfied by 1 July 2015 and 1 July 2016

Region	Shares	No. of FBs holding shares	Maximum number of endorsements	Minimum shareholding 1 July 2015	Minimum shareholding 1 July 2016
1	500	4	3	126	126
2	2,500	20	7	237	313
3	3,950	29	20	163	189
4	10,200	84	41	195	243
5	2,775	22	8	235	309
6	425	4	2	135	142
7	750	6	3	162	188

Option 2: Effort quota regime (trap numbers)

This option involves managing the total number of traps that endorsement holders may use in the eel trapping, mud crab trapping and trapping share classes of the fishery. Effort in these share classes is managed by a quota of traps allocated to fishing businesses proportional to the number of shares held. In general, fishers that hold at least the minimum shareholding for the eel trapping, mud crab trapping or trapping share classes are permitted to use a maximum number of traps. Acquisition of a set number of additional shares permits the fisher to use an additional trap. A trap regime is an indirect way of managing catch.

Eel trapping, mud crab trapping and trapping minimum shareholdings

It is proposed that the minimum shareholding requirement to be eligible for an eel trapping, mud crab trapping and trapping endorsement under a trap number regime would be 125 shares.

Hoop nets and fish trap numbers

The management arrangements that apply to the commercial use of crab traps, fish traps and hoop or lift nets throughout NSW are complex and varied. Currently, there are limits on the maximum numbers of crab and fish traps that may be used at any one time by endorsement holders. There are also combination limits on the number of crab or fish traps and hoop or lift nets that may be used at any one time by endorsement holders. These arrangements apply irrespective of the endorsement holder's shareholding.

It is proposed to remove the hoop or lift net as a gear type that may be used under the authority of a mud crab trapping and trapping endorsement in the EGF. As a consequence of removing this gear type from the fishery, a new maximum of 15 fish traps are proposed to be used by trapping endorsement holders who hold the minimum shareholding of 125 shares. The maximum number of eel traps or crab traps that can be used by an eel trapping or a mud crab endorsement holder who holds the minimum shareholding of 125 shares would be 10, respectively.

Additional trap numbers

It is proposed that for each additional 10 eel trapping, mud crab trapping or trapping shares, an endorsement holder will be able to use an additional eel, crab or fish trap, respectively.

Transferability of trap numbers

It is proposed that the number of traps allocated to the share classes of a region will not be able to be transferred outside that region. This means that shareholders in each region would know exactly what proportion of the traps allocated to the region they owned. Trap numbers would be able to be transferred within the region only.

Acquiring additional traps

Acquiring additional trap numbers could be done by transferring the relevant shares, which would result in the shareholder having an ongoing right to a greater portion of the number of traps that may be used by each share class in each region.

Option 3: Catch quota regime (eels, mud crabs and blue swimmer crabs)

This option involves managing the total catch of long- and short-finned eels (combined), mud crabs and blue swimmer crabs taken by the eel trapping, mud crab trapping and trapping share classes of the fishery. It also seeks to manage the total catch of these species taken by other relevant share classes of the fishery. Catch of each species (or species complex in the case of eels) would be managed by a consumable ITQ of kilograms allocated to fishing businesses proportional to the number of shares held. A catch quota regime is a direct way of managing catch.

ITCAL determination

An Interim Total Commercial Access Level (ITCAL) is the maximum amount of catch that may be taken over a fishing period – very much like a Total Allowable Commercial Catch (TACC) or the concept of Total Allowable Commercial Effort (TACE). For more information on ITCALs and future transitioning to TACCs and TACEs refer to technical paper “*Setting the Interim Total Commercial Access Levels (ITCALs)*” available on the DPI website.

An industry-wide ITCAL (i.e. the total weight of each species available to eligible share classes across all of the commercial fisheries) has been proposed for each species. An industry-wide ITCAL has to be set because some of the species (i.e. mud and blue swimmer crabs) are reported as having been taken across multiple commercial fisheries

The industry-wide ITCAL for each species has then been apportioned to each fishery. This means an EGF ITCAL has been set (i.e. the total amount of each species that may be taken by the EGF).

The EGF ITCAL for each species has then been allocated to eligible share classes as follows:

- Eels – eel trapping share classes;
- Mud crabs – mud crab trapping and meshing share classes;
- Blue swimmer crabs – trapping, meshing and category one hauling share classes.

It is proposed that the industry-wide ITCAL be set at the maximum annual weight reported as being landed in the 10 year period 2002/03 to 2011/12. This period follows the implementation of 30 Recreational Fishing Havens along the range of the NSW coast line. The apportionment to each fishery and EGF share classes have also been determined using total catch of each species from each fishery over the same 10 year period.

Table 4. Industry-wide ITCAL, percentage of industry wide ITCAL allocated to the EGF and EGF ITCAL of kg for eels, mud crabs and blue swimmer crabs

Species	Industry-wide ITCAL (kg)	EGF percentage of industry wide ITCAL	EGF ITCAL (kg)
Eels	137,178	99.8	136,916
Mud crabs	144,899	99.8	144,601
Blue swimmer crabs	201,561	91.2	183,752

Eel, mud crab and blue swimmer crab catch quota allocation

It is proposed to allocate catch quota to eligible share classes by either one of two methods, on a state-wide or regional basis. Catch quota does not have to be allocated by the same method for every species. With the state-wide allocation, the ITCAL of kgs would be allocated to all shareholders of a share class group equally. For example, eel trapping shareholders in regions 1, 2, 3, 4, 5, 6 and 7 would all get an equal allocation of kg per share. This means that each

region has a total number of kgs that could be taken for each share class and the kgs would be allocated equally throughout the state.

With the regional allocation, the total ITCAL of kg is allocated to the regions on a proportional basis. For each eligible share class, the total number of kgs taken in each region over the 10 year period is divided by the total number of kgs taken by the EGF over the ten year period. Similar to the state-wide allocation, each region would have a total number of kgs that may be taken however the kgs would be allocated based on the kgs taken in each region (i.e. the kgs are not allocated equally throughout the state).

Tables 5 - 7 list the total number of eel trapping, mud crab trapping, trapping, meshing and category one hauling shares that are eligible for a catch quota allocation of each species, the ITCAL of kg for each share class or share class group, the kg per share and the kg per 125 shares.

Table 5. Proposed state-wide and regional eel catch quota allocation to eel trapping share classes

Region	Share class	kg	Shares	kg per share	kg per 125 shares
1	Eel trapping	12,328.7	750	16.4	2054.8
2		30,618.9	4,975	6.1	769.3
3		18,924.4	3,575	5.3	661.7
4		53,924.9	6,500	8.3	1037.0
5		9,800.2	1,375	7.1	890.9
6		7,885.5	2,300	3.4	428.6
7		3,433.4	1,850	1.9	232.0
State-wide allocation	Eel trapping	136,916	21,325	6.4	803

Table 6. Proposed state-wide and regional mud crab catch quota allocation to mud crab trapping and meshing share classes

Region	Share class	kg	Shares	kg per share	kg per 125 shares
1	Mud crab trapping	20,524.6	2,375	8.6	1,080.2
	Meshing	232.1	4,550	0.05	6.4
2	Mud crab trapping	25,969.9	6,000	4.3	541.0
	Meshing	646.8	13,200	0.05	6.1
3	Mud crab trapping	48,459.2	5,625	8.6	1,076.9
	Meshing	770.7	6,725	0.1	14.3
4	Mud crab trapping	40,950.6	10,450	3.9	489.8
	Meshing	4,770.8	20,425	0.2	29.2
5	Mud crab trapping	967.5	1,425	0.7	84.9
	Meshing	256.2	5,300	0.05	6.0
6	Mud crab trapping	19.0	475	0.04	5.0
	Meshing	824.2	6,050	0.1	17.0
7	Mud crab trapping	64.0	500	0.1	16.0
	Meshing	144.9	4,025	0.04	4.5
State-wide allocation	Mud crab trapping	136,955.3	26,850	5.1	637.6
	Meshing	7,645.7	60,275	0.1	15.9

Table 7. Proposed state-wide and regional blue swimmer crab catch quota allocation to trapping, meshing and category one hauling share classes

Region	Share class	kg	Shares	kg per share	kg per 125 shares
1	Trapping	15.4	500	0.03	3.9
	Meshing	21.9	4,550	0.01	0.6
	Category 1 hauling	No allocation			
2	Trapping	175.1	2,500	0.1	8.8
	Meshing	305.6	13,200	0.02	2.9
	Category 1 hauling	5.4	3,250	0.002	0.2
3	Trapping	11,159.9	3,950	2.8	353.2
	Meshing	1,695.7	6,725	0.3	31.5
	Category 1 hauling	3.1	1,250	0.002	0.3
4	Trapping	125,007.1	10,200	12.3	1532.0
	Meshing	23,826.5	20,425	1.2	145.8
	Category 1 hauling	2,795.7	6,225	0.5	56.1
5	Trapping	563.6	2,775	0.2	25.4
	Meshing	765.8	5,300	0.1	18.1
	Category 1 hauling	153.8	1,775	0.1	10.8
6	Trapping	366.9	425	0.9	107.9
	Meshing	12,431.3	6,050	2.1	256.8
	Category 1 hauling	3,489.1	2,050	1.7	212.8
7	Trapping	159.0	750	0.2	26.5
	Meshing	802.7	4,025	0.2	24.9
	Category 1 hauling	7.9	1,450	0.01	0.7
State-wide allocation	Trapping	137,447.4	21,100	6.5	814.3
	Meshing	39,849.6	60,275	0.7	82.6
	Category 1 hauling	6,455.0	17,000	0.4	47.5

Minimum shareholding requirements

It is proposed that the minimum shareholding requirement to be eligible for an eel trapping, mud crab trapping and trapping endorsement under a catch quota regime would be 125 shares.

Trap limits and additional trap numbers

Similar to the trap number regime, it is proposed to remove the hoop or lift net as a gear type that may be used under the authority of a mud crab trapping and trapping endorsement in the EGF. It is proposed that the same arrangements that would apply to the number of traps that may be used by an endorsement holder under the trap number regime would apply under a catch quota regime. Specifically, a maximum of 15 fish traps could be used by trapping endorsement holders who hold the minimum shareholding of 125 shares. The maximum number of eel traps or crab traps that could be used by an eel trapping or a mud crab endorsement holder who holds the minimum shareholding of 125 shares would be 10, respectively. For each additional 10 eel trapping, mud crab trapping or trapping shares, an endorsement holder would be able to use an additional eel, crab or fish trap, respectively.

Transferability of catch quota

It is proposed that the catch quota allocated to the relevant share classes of a region could not be transferred outside that region initially. This means that catch quota could be transferred between the same share classes and multiple share classes within a region only (e.g. meshing and trapping). Shareholders in each region would know exactly what proportion of the catch quota allocated to the region they owned.

How shareholders could use their quota and acquire additional quota

Information on the use of quota and how to acquire additional quota, along with how quota use will be monitored is provided in the general information paper “*General information relating to the reform program and reform options for the NSW commercial fisheries*”.

Potential changes to current restrictions

Each of the reform options presented above is coupled with potential changes to current restrictions or controls, forming the overall reform packages for consideration. Once share linkages are in place, a number of controls can be removed to potentially improve operational efficiency and profitability, and to reduce red tape and associated costs.

Scope to amend or remove the majority of current management arrangements is dependent on the form and strength of the linkage arrangements that will be implemented.

The arrangements that currently apply to the EGF have been implemented through time to mitigate the potential environmental and social impacts of EGF operations. Further, many were implemented to offset the possible activation of the excess fishing capacity that exists now or previously existed.

Given that the structure of the EGF will change under the reform options outlined above, EGF shareholders and DPI have identified a suite of potential amendments to existing management arrangements.

Table 8 lists the potential changes to current restrictions relevant to the trapping component of the EGF. Stronger linkage options (catch quota) include more controls for potential removal than weaker options (minimum shareholdings). A tick associated with a proposal indicates a higher likelihood that the proposal could be implemented. Absence of a tick indicates a lower likelihood that the proposal could be implemented with the reform option indicated.

Table 8. Potential changes to current restrictions

Potential changes to current restrictions for consideration with relevant Options	Option 1	Option 2	Option 3
Maximum shareholdings: The current default maximum shareholding of 40% of the shares in the fishery is ineffective and proposed to be removed on the basis that there is negligible risk of a monopoly in the relatively small scale fisheries in NSW.	✓	✓	✓
Foreign ownership restrictions: Remove the restrictions on foreign ownership of shares on the basis that there is negligible risk of significant foreign ownership of the relatively small scale fisheries in NSW.	✓	✓	✓
Registering 'eligible fishers': The requirement to register 'eligible fishers' against fishing businesses is being removed as part of the development of FishOnline, which will automatically check that nominated fishers are already licensed.	✓	✓	✓
Boat licences: Remove the requirement to licence boats in the EGF, saving future licence fees.	✓	✓	✓
Closed water permits: Provide for carriage of stowed commercial fishing gear through closed waters (currently authorised via permit).	✓	✓	✓
Mud crab trapping: Allow taking of fish in a mud crab trap.		✓	✓
Fish trap: Allow taking of mud crabs in a fish trap.		✓	✓
Blue swimmer crabs: Increase minimum size of blue swimmer crab to 6.5 cm to increase the protection of egg production from approximately 14% to 40%.	✓	✓	✓

Potential changes to current restrictions for consideration with relevant Options	Option 1	Option 2	Option 3
Crewing arrangements: Enable a fisher that holds the minimum shareholding requirement to be assisted by any fisher that holds a commercial fishing license. This means that the fisher providing the assistance has to hold a commercial fishing license but does not have to hold an eel trapping, mud crab trapping or trapping endorsement.	✓	✓	✓

EGF trapping fishing closures identified by EGF shareholders for potential amendment

1. Richmond River - The whole of the tidal waters of the Richmond River and tributaries (including all the waters of the Wilson River), up stream from the road bridge at Woodburn.

Species of fish that must not be taken - Any species of fish.

Methods of fishing prohibited - Any method involving the use of a trap, other than an eel trap.

Period – All year.

Proposal - Remove the restriction. (Note: closures in some specific areas will still apply).

2. Evans River - The waters of the Evans River from a line drawn between the most northerly points of the eastern and western breakwaters at the entrance of the Evans River, upstream to its source and junction with Rocky Mouth Creek.

Species of fish that must not be taken - Any species of fish

Methods of fishing prohibited - Any method involving the use of a net or a trap, other than the hand-hauled prawn net, push or scissors net (prawns), dip or scoop net (prawns), landing net and hoop or lift net.

Period – All year.

Proposal - Up stream from the road bridge, authorise the use of crab and fish traps.

3. Clarence River - The whole of the waters of the Clarence River, other than the waters bounded by a line drawn from the downstream side of the most easterly opening in Middle Wall across to the western extremity of Moriarty's Wall, then upstream to a wooden peg marked "FT1" located at the upstream end of the training wall which runs adjacent to Spencer Street boat ramp at Iluka, then westerly to the NSW Maritime Lead beacon number 037 located adjacent to the south eastern extremity of Goodwood Island, then upstream to the NSW Maritime Lead beacon number 041, then in a line south westerly to the north western extremity of Freeburn Island, then downstream along the north eastern side of Freeburn Island and north eastern side of Middle Training Wall to the point of commencement.

Species of fish that must not be taken - Any species of fish.

Methods of fishing prohibited - Any method involving the use of a fish trap.

Period - The period from September in any year to April in the next year (both months inclusive).

Proposal - Remove the restriction. (Note: closures in some specific areas will still apply).

4. Clarence River - The whole of the waters of the Clarence River together with all its lakes, lagoons, inlets, channels, creeks and tributaries, upstream of a line drawn across the River from the boat ramp adjacent to the Maclean Court House (the Old Ashby Ferry crossing).

Species of fish that must not be taken - Any species of fish.

Methods of fishing prohibited - Any method involving the use of a crab trap.

Period – All year.

Proposal - Remove the restriction. (Note: closures in some specific areas will still apply).

5. Warrell Creek - The whole of the waters of that part of Warrell Creek together with all its creeks and tributaries from the Scotts Head boat ramp adjacent to Warrell Creek reserve upstream to the Warrell Creek Rail Bridge.

Species of fish that must not be taken - Any species of fish.

Methods of fishing prohibited - Any method involving the use of a trap (other than an eel trap).

Period – All year.

Proposal - Remove the restriction.

6. Hunter River - The whole of the waters of the Hunter River and its tributaries, from the Fitzgerald Bridge at Raymond Terrace, upstream to the junction of the Hunter and Paterson Rivers.

Species of fish that must not be taken - Any species of fish.

Methods of fishing prohibited - Any method involving the use of a net or trap, other than the meshing net not exceeding 200 metres in length used by the method of splashing, landing net and dip or scoop net (prawns).

Period – All year.

Proposal - Remove all traps from prohibited methods.

7. Wagonga Inlet - The whole of the waters of Wagonga Inlet and its tributaries westward of a line drawn north-west across the entrance from the northernmost extremity of Wagonga Head.

Species of fish that must not be taken - Any species of fish.

Methods of fishing prohibited - Any method involving the use of a net or trap, other than the landing net and dip or scoop net (prawns).

Period – All year.

Proposal – Up stream from the road bridge, authorise the use of all traps.

Comparison of reform options

To assist industry in considering the options and providing feedback, a number of advantages and disadvantages have been identified by DPI and the SLWGs as being associated with the linkage options presented, these are outlined in the tables below (Tables 9, 10 and 11).

Managing endorsement numbers (minimum shareholding regime)

Table 9. Advantages and disadvantages associated with a minimum shareholding regime

Advantages	Disadvantages
A very direct and cost effective way (administratively) to link shares to resource access, and thus the cheapest way for the government to link shares to resource access.	The primary control is the maximum number of endorsements (crude management tool) as opposed to a maximum catch or effort control.
A very direct and effective tool for delivering adjustment to the maximum numbers of participants in a share class (i.e. region).	Shareholders may be forced to invest from time to time, rather than autonomously.
Reduces (but does not eliminate) the risk of inactive endorsements eroding the viability of active fishers.	There is no benefit from holding a shareholding above the minimum shareholding requirement.
Relative to current management arrangements there should be improved social licence.	Cost of having to meet minimum shareholding requirement may outweigh the benefit.
	Limited opportunity to customise shareholdings to suit preferred access levels and fee liability.
	Security of access within the fishery is not as strong as an effort or catch quota regime.
	Opportunity to remove or relax input controls is limited.
	Competition for access to species or race-to-fish incentive in the fishery is maximised.
	Ability to maximise value of catch is not as strong as a catch quota regime due to race-to-fish incentive.
	Additional restrictions may need to be implemented as needed to manage catch or effort.
	Stronger catch or effort controls may need to be pursued in the longer-term dependent upon viability, sustainability and resource sharing issues.

Effort quota regime (trap numbers)

Table 10. Advantages and disadvantages associated with an effort quota regime (trap numbers)

Advantages	Disadvantages
Shareholders can increase their number or traps autonomously by adjusting their shareholdings (subject to any minimum shareholdings that may apply) to suit their preferred number of traps and fee liability.	Limited control over total catch and effort in the fishery.
Security of access within the fishery is stronger than a minimum shareholding regime. Fishers have the security of knowing the proportion of effort quota they own.	Security of access within the fishery is not as strong as a catch quota regime.
Relative to a minimum shareholding regime there is a better opportunity to remove or relax current restrictions.	Competition for access to species or race-to-fish incentive in the fishery is not minimised.
Total commercial effort is capped and may be increased or decreased dependent upon catch and effort trends, resource sharing and sustainability issues.	Ability to maximise value of catch is not as strong as a catch quota regime due to race-to-fish incentive.
Implementation/administration costs expected to be marginally higher than Option 1 (given existing trap limit regulations) and less than Option 3.	Stronger catch controls may need to be pursued in the longer-term dependent upon viability, sustainability and resource sharing issues.

Catch quota regime

Table 11. Advantages and disadvantages associated with a catch quota regime

Advantages	Disadvantages
Shareholders can increase their proportion of allocated catch autonomously by adjusting their shareholdings (subject to any minimum shareholdings that may apply) to suit their preferred level of catch and fee liability.	Likely higher relative costs than the other options to implement and manage because of the need to allocate quota each fishing period and monitor/enforce quota usage throughout the period.
Security of access within the fishery is stronger than a minimum shareholding regime or effort quota regime. Fishers have the security of knowing the proportion of the allocated catch that they own.	If catch quota of each species is restricted within the regions, fishers in the regions with a limited amount of shares may be unable to increase their catch quota.
Relative to a minimum shareholding or trap number regime there is the best opportunity to remove or relax current restrictions.	
Optimum control on commercial catch of each species. Catch may be increased or decreased dependent upon catch and effort trends, resource sharing and sustainability issues.	
Race-to-fish incentive is minimised.	
Ability to maximise value of catch is very strong.	

Management costs

The costs associated with each of the options are difficult to determine given that a large number of factors will influence them. An indication has been provided of the relative costs of the options in the advantages and disadvantages tables above. Refer to the general information paper for further information about estimating management costs.

Appendix 1: Current structure of the trapping component of the EGF

Table 12. Number of Fishing Businesses holding various EGF eel trapping – regions 1, 2, 3, 4, 5, 6 and 7 shareholdings

Region	25	50	100	125	200	225	250	325	975	FBs	Shares
1	6									6	750
2		1		31		1	2	1		36	4,975
3			2	23			2			27	3,575
4			2	41	1				1	45	6,500
5				11						11	1,375
6		1		18						19	2,300
7	1	1	4	11						17	1,850

Table 13. Number of Fishing Businesses holding various EGF mud crab trapping – regions 1, 2, 3, 4, 5, 6 and 7 shareholdings

Region	1	50	100	124	125	175	200	225	250	300	375	FBs	Shares
1					19							19	2,375
2		1	1		39		1	1	1	1		45	6,000
3			2		42	1						45	5,625
4	1		5	1	70			2	1		1	81	10,450
5			3		9							12	1,425
6			1		3							4	475
7					4							4	500

Table 14. Number of Fishing Businesses holding various EGF trapping – regions 1, 2, 3, 4, 5, 6 and 7 shareholdings

Region	1	50	75	100	124	125	200	225	250	FBs	Shares
1						4				4	500
2						20				20	2,500
3						26	1		2	29	3,950
4	1	1	1	6	1	67		1	3	81	10,200
5				4		17			1	22	2,775
6		1				3				4	425
7						4			1	5	750