



Commercial Fisheries Newsletter – December 2014

Welcome to the fifth edition of the Commercial Fisheries Newsletter. Fisheries NSW would like to take this opportunity to say Merry Christmas and wish you and your families all a safe and productive festive season.

Topics in this edition include:

- Structural Adjustment Review Committee update
- Ministerial announcements
- Recent and ongoing policy development
- Ongoing share trading updates
- A reminder about transfer rules
- Fisheries Management Amendment Bill
- Recent and upcoming consultation opportunities
- Other issues and opportunities

Structural Adjustment Review Committee

The SARC has held its 15th meeting where it discussed and reviewed progress by the consultants who are running the independent economic analysis and review of the exit grant scheme. It also reviewed further data surrounding the key fisheries, options, activity and shareholdings.

AgEconPlus – the consultants commissioned by the SARC to undertake an economic analysis – have sought extra time to complete their work. They noted the complex nature of our fisheries and fishing rights and the need to survey a number of fishers to help fine tune their economic assessment. The economic assessment draws on methods and information applied in fisheries elsewhere, such as by the Commonwealth and in South Australia, but importantly makes adjustments to account for the NSW situation. The SARC has advised that the number of fishers surveyed by the consultants should be expanded.

A Chair's summary from the recent meeting will be available in early January and will be emailed to fishers who have provided email addresses to Fisheries Business Services (FBS). It will also be posted on the reform webpage.

To get more detail about the SARC's previous views and advice, you can download the Chair's summaries from:

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

As a recent initiative, as well as sending items by email, Fisheries NSW has also starting using a new SMS system to send text alerts to people's mobile phones, on occasions.

If you have not received any SARC updates or newsletters by email and wish to, please update your contact details with FBS; include your mobile phone number and you will also receive important SMS messages when they are sent.

Ministerial announcements

New fisheries patrol vessels

On 4 December 2014, the Minister for Primary Industries announced the launch of three new high-speed Fisheries Patrol Vessels to target illegal fishing activity along the NSW coast. They will be based in Port Macquarie, Tuncurry and Batemans Bay to patrol offshore, coastal and estuarine waters. Report illegal fishing on to the hotline: ph.1800 043 536.

Policy development

MFAC resource sharing policy – A draft policy is currently being developed by the Ministerial Fisheries Advisory Council (MFAC) who met recently (5 December 2014). Keep an eye on www.dpi.nsw.gov.au/fisheries/consultation to see the MFAC Chair's summary from the most recent meeting.

Industry initiated short-term closures off

Ballina – Following a request from local fishers and a stakeholder comment period, for a third consecutive year Fisheries NSW is assisting industry to optimise biological and economic yield from the State's king prawn resources by

implementing a three month closure (Dec-Feb) to trawling in certain waters off Ballina, with provision for trial shots if needed. For further information, including GPS marks, refer to the DPI website at: www.dpi.nsw.gov.au/fisheries/commercial/fisheries/ocean-trawl

State-wide prawn counts – Following a stakeholder comment period, Fisheries NSW has remade a fishing closure notification which sets the State-wide prawn counts. Two separate notices have now been consolidated into a single notice. No changes were made to the prawn counts in the process. It was gazetted on 12 December 2014 and can be viewed on the DPI webpage at: www.dpi.nsw.gov.au/__data/assets/pdf_file/0005/53940/2/Prawn-Counts-Fishing-Closure-All-Waters.pdf

Pipi closure – Following a stakeholder comment period, a 6 month fishing closure for pipis has commenced. The closure is in place until 31 May 2015, unless sooner amended or revoked. The aim of the restriction is to continue rebuilding pipi abundances. The closure, in combination with the size limit and daily and possession limit, is assisting in giving the pipi stock an opportunity for recovery and the early signs are looking promising. A workshop will be held in early 2015 to discuss alternative management arrangements in response to concerns raised about the economic impact of the 6 month State-wide closure.

Spanner crab quota – The Government is currently considering the SARC's previous recommendation to proceed with a catch quota scheme for the northern zone spanner crab sector commencing from 1 July 2015. The original decision to move to a catch quota in the northern zone was announced by the Minister in July 2011.

Offshore Constitutional Settlement (OCS) – Fisheries NSW is in discussion with the Commonwealth on the OCS, with the initial focus being to move the Southern Fish Trawl restricted fishery into a single jurisdiction arrangement, managed by the Commonwealth. The discussions include short term proposals to modify trip limits and will involve setting up an industry working group to consult with throughout the process.

Access to live bait by Commonwealth ETBF operators – A review of the policy relating to the taking of live bait (for own use) by Commonwealth Eastern Tuna and Billfish Fishery and State Ocean Trap and Line fishers has been on the table for some time. Progress has been made recently on a proposal to issue interim (conditional) permits to ETBF fishers while the review is underway. Letters will be sent to existing baitfish permit holders and all ETBF longline operators in the new year with further information about the interim permit approach and the policy review.

Industry promotion and marketing

Consistent with the objectives of the *Fisheries Management Act 1994*, Fisheries NSW has a role in ensuring sustainable fisheries and, consistent with that, "to promote viable commercial fishing and aquaculture industries". While fishers and industry sectors play their role in promotion, marketing and advertising of individual products, the government fulfils its role across the industry as a whole, and in many different ways. Promotion can be direct through in-kind support and complementary funding, or through supportive roles. The following list shows some examples of these efforts by Fisheries NSW:

- undertaking comprehensive **environmental impact assessments** for all commercial fisheries to meet the requirements of NSW and Commonwealth law and positioning the industry for improved self-promotion;
- continuing to work on behalf of the industry to **secure approval** from the Commonwealth under the *Environmental Protection and Biodiversity Conservation Act 1999* to allow access to export markets for seafood harvested by NSW commercial fishers;
- maintaining and updating the **DPI website** which provides the fishing industry and general public with information on all NSW commercial fisheries and the **assessments** and **fisheries management strategies** in place to achieve sustainable fisheries;
- significant resources directed to responding to written letters and emails from the general public, other sectors, local councils and government/non-government organisations questioning the sustainability of commercial fishing. Those responses outline the assessments and strategies in place to help ensure that fishing activities are sustainable and continue to note the Government's support for a viable industry supplying fresh, local seafood;
- maintaining involvement in research programs with industry – e.g. looking at ways to reduce bycatch which helps to improve ecosystem sustainability and build improved community understanding and acceptance of different fishing methods;
- support for and attendance at public event days, such the annual Loaves and Fishes Barbeque at South West Rocks. This includes providing information to the public on the beach hauling activities and management arrangements. DPI also recently reproduced public brochures about this fishery which can be handed out by fishers during their regular interactions with other beach users;

- involvement with the Fisheries Research and Development Corporation's (FRDC) national Common Language Group to help promote the use of factual information to reach a common understanding of the principles surrounding a responsible seafood supply chain. This group recently announced its "Defining Australian Sustainable Seafood - Wild Capture" report for public comment.
- involvement in programs that support third party certification to ensure the nature of NSW commercial fisheries is reflected in the thinking of agencies and businesses (e.g. Coles) that are interested in certification of sustainable fisheries;
- support for OceanWatch Australia, most recently with its NSW Master Fisherman training program;
- press releases issued by the Minister in the lead up to peak seafood consumption times, such as Christmas and Easter, to encourage people to buy locally harvested seafood;
- DPI has funded NSW fishers' attendance at National Prawn Industry Conferences and made in-kind contributions to industry's recent "Love Australian Prawns" campaign; and
- involvement in partnerships such as the Aussie Seafood Campaign to increase awareness of the role commercial fishers play in providing healthy, fresh and sustainable seafood (launched 2008), see: www.youtube.com/watch?v=ab8A5m71bu0.

In recent years there has also been a national push for improved promotion and marketing capabilities of government organisations involved with the commercial fishing industry. In 2013, this push resulted in changes to the *Primary Industries and Energy Research and Development Act 1989* (PIERD Act) which now allows the Australian Government to assist in the promotion of the fishing industry. This is done by establishing a levy, *if an industry so requests*, by collecting that levy and by returning the funds to the FRDC to use in promotion and marketing. The Commonwealth Government also matches the levy raised (up to a limit). The FRDC is currently developing a marketing plan and is seeking industry feedback. Further information can be found at: <http://seafoodmarketing.frdc.com.au>

Share trading

Fisheries NSW has updated the summary of shareholding information for each fishery at: www.dpi.nsw.gov.au/fisheries/commercial/reform/program

This webpage now shows tables of shareholdings, broken down by fishing businesses and by

shareholders. The information shows there has been significant movement in shareholdings.

Figure 1 (below) is another way to look at the shift in share holdings over the past eight years, using the Estuary Prawn Trawl Fishery in the Clarence River (EPTCR) as an example. Since 2007, the portion of shareholders holding more than the minimum shareholding has shifted from 2% to around 20% in that sector.

Other fisheries have seen similar shifts in the portion of shareholders above the minimum shareholding level, changing from:

- 6% to 22% in the Ocean Trap and Line (Line West) sector;
- 7% to 13% in the Estuary General (Meshing) sector;
- 6% to 11% in the Estuary Prawn Trawl (Hawkesbury River) sector;
- 52% to 85% in the Ocean Trawl (Northern Fish Trawl) sector.

It should be noted however, that these shifts are also a result of some fishers leaving the share class, which reduces the number of fishers who hold below or at minimum shareholdings.

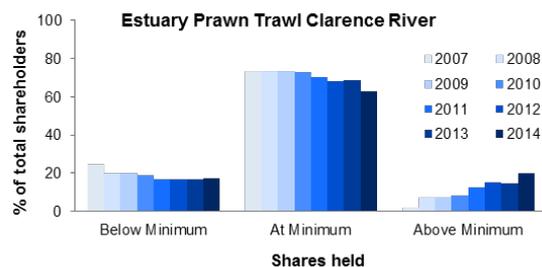


Figure 1. Portion of shareholdings in the EPTCR sector below, at and above the minimum shareholding levels, shown over the past eight years.

Transfer rules

The Minister previously announced that share transfer fees will be waived until the exit grant process is run for the reform program. With the volume of share trades being made (Figure 1), it may be timely to refresh your knowledge of the transfer rules.

Section 8 and 9 of the [Commercial Fisheries Administration Guide](#) outline rules around transferring components (shares or endorsements) of a Fishing Business to new entrants to the industry and to existing fishers. The guide also includes information about the transfer of permit/endorsement conditions.

Care needs to be taken when considering the impact of minimum shareholdings, particularly for "original entitlement holders" when they begin trading in shares (see p.33 of the Guide).

The Guide states:

“Applicants should ensure they are familiar with the Fishing Business Transfer Rules prior to submitting an application to transfer a fishing business or the components of a fishing business.

Transferors and transferees should also seek independent legal or other relevant advice before making any financial commitment to transfer a fishing business or the components of a fishing business.

A transfer is not complete until the transfer has been approved by DPI and recorded in the Share Register in the case of a transaction that involves shares. Applicants are encouraged not to make firm financial commitments until they have been formally notified in writing of the outcome of their application.”

All transfer rules are outlined in the Guide available online at the webpage below (under “Popular Items”), or call 1300 720 662 for more information: www.dpi.nsw.gov.au/fisheries/commercial

Selling fish into the European Community

If you or your buyers are planning to export NSW wild harvest fish and fish products (such as mullet roe) to nations in the European Community (EC), one of the EC requirements is that your product must be accompanied by a Catch Certification from DPI.

The EC introduced the Catch Certification requirements in 2009 to try to reduce Illegal, Unreported and Unregulated fishing. For more details see:

www.agriculture.gov.au/biosecurity/export/fish/fish-notices/2009/fish09-11

There are two basic levels of certification required:

- a simplified catch certificate for small vessels (<8 m with towed gear or <12 m without towed gear), or
- a detailed single trip catch certification for other vessels.

(see: ec.europa.eu/fisheries/cfp/illegal_fishing/info/handbook_original_en.pdf).

For DPI to provide a catch certificate, the catch must have been correctly reported on the Department’s Commercial Fisheries Catch and

Effort log sheet, and it must have been taken by a NSW commercial fisher endorsed to do so.

To ensure that the catch has been correctly reported, the log sheet number of the catch will need to be listed on the Catch Certificate.

If you have any inquiries about Catch Certification please do not hesitate to contact the Catch Records Section on (02) 6648 3921 or email catch.records@dpi.nsw.gov.au

Fisheries Management Amendment Bill

The Department received a number of comments and questions from industry regarding the Government’s recent tabling of the Fisheries Management Amendment Bill.

The process for the development and amendment of Acts of Parliament is summarised below:

1. The Cabinet must firstly approve the drafting of the laws or amendments sought;
2. The Parliamentary Counsel’s Office (PCO) is then tasked with drafting the required legislation, in consultation with the relevant all NSW legislation and as such, must prioritise the drafting of each Bill and Regulations depending on political requirements at the time. It is also responsible for checking that proposed legislative changes do not conflict with any existing laws and that the legislation can be lawfully made. Note that Bills in draft form are marked as Cabinet-in-Confidence which means they cannot be circulated to stakeholders;
3. Once drafted, the Bill must be approved by Cabinet before being tabled in the Legislative Assembly and commencing its review and approvals process through the Parliament. After tabling, draft Bills may be accepted or amended by the lower and upper houses before they are passed and come into effect.

In the case of the Fisheries Management Amendment Bill, limited consultation occurred on the issues covered by the Bill with industry groups in 2011 and 2012 and the Bill has been in the drafting phase from that point until when it was tabled by the Minister in November.

Following concerns raised upon the Bill’s tabling, the Minister announced that it will be held over to

Definitions

Consultation: Seeking the advice and/or input of an expert, informed person or stakeholder.

Application: Fisheries NSW consults on a number of issues throughout the State at a range of levels including advisory councils, working groups, specific task groups, independent contractors, regional visits, receiving written comment by mail, email and fax, and phone discussions.

give an opportunity for stakeholders to review the provisions and provide feedback. A list and explanation of the proposed amendments will be made available in January for comment by all stakeholders. In the meantime, to view the amendments and the explanatory notes about the Bill you can go to the NSW parliamentary website and search for "Fisheries Management Amendment Bill 2014":

www.parliament.nsw.gov.au/

Consultation opportunities

- Fisheries NSW is currently in the process of developing an **Interim Harvest Strategy for the Abalone Fishery**. A harvest strategy details the management actions required to achieve specific fishery objectives. It includes defined processes and rules to ensure a fishery is managed in a transparent and accountable way. The development process will be stepwise and involve consultation with abalone shareholders, scientists, managers and other stakeholders. The interim status of this harvest strategy will allow for adjustments to be made as the process evolves. For further information or to provide comments and suggestions, please contact Georgina Eliason on (02) 6229 7341.

Other issues and opportunities

- Registrations are currently being accepted for FRDCs 2015 **National Seafood Industry Leadership Program**. This well-known and valued opportunity is an annually run program and registration must be received by 16 January 2015. For more information contact Jill Briggs at Rural Training Initiatives: jill@ruraltraininginitiatives.com.au, or call (02) 6035 7284.
- **Reform web pages updated:** The reform webpage has been updated and is worth a look if it has been a while since you visited: www.dpi.nsw.gov.au/fisheries/commercial/reform
- **AFMA release Shark and Ray Handling Practices – A guide for commercial fishers in southern Australia:** <http://www.afma.gov.au/managing-our-fisheries/environment-and-sustainability/bycatch-and-discarding/shark-and-ray-handling-practices-guide/>. The guide provides techniques on handling, to help commercial fishers minimise the damage to sharks accidentally caught and increase their survival once returned to the water. It also includes information on the biology of commonly encountered species and research into shark survival after release. The guide was developed in collaboration with Monash University and the shark fishing industry.

- FRDC recently released their second **Status of Key Australian Fish Stocks Reports 2014** which provides a road map of what needs to be done for management, industry and researchers. Key messages from the release include strong positive comment such as Australia's fish stocks are well managed and the majority are healthy, that 19 new species have been added to the report taking the total to 68 species; that 129 stocks were classified as sustainable, contributing 87.5% of the total catch of the species assessed. More information can be found at a dedicated website: www.fish.gov.au
- Rabobank released a positive report "**Smooth Sailing for Australian Seafood**" which can be read at: www.rabobank.com.au/News-and-Events/Media-Releases/2014-News-Archive/Pages/media-release-20141029.aspx
- Small BizConnect currently have a bus that is driving around the state providing free small business advice. If anyone wishes to take advantage of this opportunity, you can book a time at www.clikklik.com.au/smallbizbus. More locations are advertised all the time so keep an eye out.
- An update on the Commonwealth Marine Reserves review can be found at: www.marinereservesreview.gov.au
- The Queensland Fisheries Review has been released and can be found here: www.daff.qld.gov.au/fisheries/consultations-and-legislation/reviews-surveys-and-consultations/fisheries-management-review

Further questions, information and feedback

Interested parties can find further information at the DPI website at:

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

There are links on that page to frequently asked questions, documentation from working group meetings, SARC meetings, and many other relevant documents including changes around the management fees.

Support services

Don't forget about the free support services that are available to assist people, whether related to the reform process or not. This includes free financial counselling and advice and health services. Contact details have been provided before but please contact the Industry Liaison Manager if you didn't receive them or misplaced them and would like to take advantage of the services available.

How to value shares?

“How can I determine the dollar value of my *shares*?” is a question that is often raised by shareholders. Unfortunately, DPI does not determine the market value of a fishing right, nor does it collect precise information on the value of shares when traded. The true value of any item is determined in the market place, and it comes down to what someone is willing to sell for and what someone is willing to pay at any point in time.

Typically, in a market place, a shortage of supply and high demand drives prices up, and an oversupply and low demand drives prices down.

But there are many different factors that will be at play, such as the buyer's capacity to derive a

future income from the shares, business risks and external influences.

Helpful websites

- www.commbank.com.au/business/can/buying-a-business/valuing-a-business.html
- www.business.qld.gov.au/business/exiting-business/valuing-a-business
- www.business.gov.au/business-topics/selling-or-closing-your-business/Pages/valuing-your-business.aspx

CONTACTS

COMMERCIAL FISHERIES REFORM STAFF

		PHONE	EMAIL
Industry Liaison Manager	Chad Lunow	02 6691 9684 or 0437 942 142	chad.lunow@dpi.nsw.gov.au

RELEVANT FISHERIES MANAGERS

Estuary Prawn & Ocean Trawl	Darren Hale	02 6645 0503	darren.hale@dpi.nsw.gov.au
Estuary General	Darren Reynolds	02 6691 9682	darren.reynolds@dpi.nsw.gov.au
Ocean Haul	Joshua Foster	02 6691 9674	joshua.foster@dpi.nsw.gov.au
Ocean Trap & Line	Veronica Silberschneider	02 9435 4679	veronica.silberschneider@dpi.nsw.gov.au
Lobster and Inland	Nicholas Giles	02 6042 4211	nicholas.giles@dpi.nsw.gov.au
Abalone	Cameron Westaway	02 6042 4211	cameron.westaway@dpi.nsw.gov.au
Exit Grants	Doug Ferrell	02 9435 4667	doug.ferrell@dpi.nsw.gov.au

OTHER USEFUL CONTACTS

	PHONE	FAX	EMAIL
Catch Records	02 6648 3921	02 6391 4709	catch.records@dpi.nsw.gov.au
Fisheries Business Services	1300 720 662	02 4424 7449	fisheries.businessservices@dpi.nsw.gov.au

USEFUL LINKS

Fisheries NSW Reform website	www.dpi.nsw.gov.au/fisheries/commercial/reform
Share trading notice board website	www.dpi.nsw.gov.au/fisheries/commercial/fishonline-noticeboard
Current shareholdings website	www.dpi.nsw.gov.au/fisheries/commercial/shareholding-information-for-share-management-fisheries
FishOnLine	Email: fishonline.support@dpi.nsw.gov.au

Note: Enclosed in the envelope alongside this newsletter is a letter from the PFA, which administers the NSW Fisheries Research Advisory Body (on behalf of the Commonwealth Fisheries Research and Development Corporation – FRDC). It seeks advice on industry's research priorities for 2016.

Responses to this request should be sent to the address provided in that letter.

FishOnline

Fisheries NSW have developed an online self-service system, called **FishOnline**, which provides access to business information and transactions to the commercial fishing industry 24/7. **FishOnline** is currently running in pilot and will progressively be rolled out to Industry.

FishOnline will currently allow you to:

- » Lodge your catch records electronically (for non-quota based fishing activities or Lobster byproduct), including nil returns
- » See your recorded catches dating back to 1 July 2009
- » Get an up-to-date view of Lobster and Abalone quota balance/s
- » View your authorised fisher history dating back to February 2007
- » View the endorsement history of your businesses
- » View your licence details
- » Receive messages securely
- » Post and browse advertisements on the FishOnline NoticeBoard – What's New For Sale or Trade
- » Manage aspects of your FishOnline account
- » Appoint and permission agents to act on your behalf

In the future FishOnline will also provide functionality to:

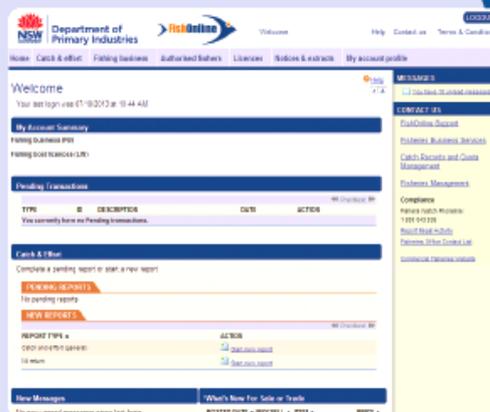
- » Renew licences
- » Transfer shares and/or businesses
- » Transfer quota
- » Replace licence/fishing business cards
- » Authorise/revoke fishers
- » Complete Quota Catch & Effort Log sheets
- » Update your contact details

It's quick, easy and simple to use.

Registration and use of **FishOnline** self-service system is free of charge

Electronic online transactions:

- » No more handwritten catch logbooks.
- » You can submit, confirm and get a receipt number instantaneously for your catch records.
- » You can save information and continue later.
- » Got anything for sale or trade? Why not post your advertisement online.
- » Access your personal information securely



FishOnline information is available on the DPI website www.dpi.nsw.gov.au/fisheries/commercial/info/fishonline or email fishonline.support@dpi.nsw.gov.au or phone 1300 720 662

