



## Commercial Fishing NSW Advisory Council

OUT17/22080

The Hon Niall Blair, MLC  
Minister for Primary Industries  
52 Martin Place  
SYDNEY NSW 2000

Dear Minister

I am pleased to report the outcomes of the first meeting of the Commercial Fishing NSW Advisory Council (CommFish NSW AC) meeting held in Sydney on 25/26 May 2017 as follows:-

The Council made a number of recommendations in relation to the Review of the Business Adjustment Program (BAP) Regulation Consultation Process. Please see attached a list of these recommendations.

The Council discussed future agenda items, endorsed the Charter as its basis for operation and agreed to invite key sector stakeholders for informal discussions, with particular focus on including some younger stakeholders to future events.

The members of the Council also discussed the importance of and potential methods available to communicate with the NSW industry in an open and transparent manner, through regional meetings and the publication of documents on the NSW DPI website.

The Council agreed to hold three of its four meetings this year within Sydney, to provide the opportunity for informal engagement with invited stakeholders about priority issues. In this regard, a meeting will be held in Coffs Harbour later in 2017, with other regional areas to be included next year.

The next meeting of Council will be held in Sydney on 11/12 July 2017.

Yours sincerely

**STUART RICHEY**  
**CHAIR**

Date: 5 June 2017

Commercial Fishing NSW Advisory Council (CommFish NSW AC)  
Department of Primary Industries  
PO Box 4157 Coffs Harbour Jetty NSW 2450  
Tel: 02 6656 8921 - ABN 72 189 919 072 - [www.dpi.nsw.gov.au](http://www.dpi.nsw.gov.au)

**Meeting 1 – CommFish NSW AC - Recommendations to Minister in regard to BAP  
Regulation Consultation Process**

Outcome#	Outcome
1.1	Unanimous support for recommendation that a 50%+1 vote, or greater than 50% of eligible votes, as 'majority support' determination be incorporated.
1.2	Unanimous decision to recommend that shareholders who fail to vote are to be disregarded when determining if a redefinition proposal has majority support.
1.3	Majority support a recommendation that votes should be weighted on shareholding (i.e. the number of shares held be a shareholder), with one member wanting to record concerns relating to the possible impact on smaller shareholders.
1.4	Unanimous support recommending that polls be conducted in writing by either hard copy or email, noting that the Council recommends that electronic reporting polling be considered, in order to aid in cost reductions for industry and include appropriate education/support.
2	Unanimous support for the recommendation for maximum flexibility (Option 1) in regard to the transfer of new species shares.
3	Unanimous recommendation to accept NSW DPI proposal as it is, with only holders of the relevant new species shares or a share class that is subject to quota be allowed to hold the relevant quota.
4.1	Unanimous recommendation to accept NSW DPI proposal to have a snap shot date around mid-2018.
4.2	Unanimous recommendation to accept NSW DPI proposal to apply all three criteria.
4.3	Unanimous recommendation to accept the NSW DPI proposal in regard to the allocation of new effort shares in the Ocean Prawn Trawl fishery.
5	Unanimous recommendation to accept the NSW DPI proposal in regard to additional dillies in the spanner crab north fishery.

6	Unanimous recommendation to accept the NSW DPI proposals with no changes, noting safety aspects and cost issues.
7	Unanimous recommendation to accept the NSW DPI proposal to apply a maximum net length of 400 metres to general purpose hauling nets used in the Ocean Hauling Fishery from 1 August to 28 February the following year, meaning a 400 metre maximum net length would apply all year.
8	Unanimous recommendation to accept the NSW DPI proposal in regard to deterring unlawful participation in prawn ballots, with no changes.
9	Unanimous recommendation to accept the NSW DPI proposals in regard to crew in the Ocean Hauling fishery.
10	Unanimous recommendation that the arrangements be implemented as proposed, noting it is also recommended that more research be done to determine the impact of trawling activities on the spawning biomass of BSC in waters adjacent to Wallis Lake as well as the cumulative take of BSC from all fishing activities with a possible view to spatial or temporal closures. It was also recommended that any take of quota species by trip limit should be reported in the same manner as quota holders.
11	Unanimous recommendation to accept the NSW DPI proposals in regard to marking requirements for commercial fishing boats and removing the NSW DPI boat licensing requirements in the additional Estuary General and Ocean Hauling share classes.
12	Unanimous recommendation to accept the NSW DPI proposal with one exception to have a consistent minimum buoy diameter in all fisheries of 10 cm in all areas.
13	Unanimous recommendation to accept the NSW DPI proposal regarding the minimum crew numbers in the

	Estuary General and Ocean Haul fisheries.
14	Unanimous recommendation to accept the NSW DPI proposal in principle in regard to real time quota reporting arrangements in the Estuary General fishery. Noting that NSW DPI is committed to further investigating tagging of mud crabs.
15	Unanimous recommendation to accept the NSW DPI proposal in principle in regard to real time quota reporting arrangements for the sea garfish component of the Ocean Hauling fishery, noting that there will be an increase to 50 metres from point of landing requirement.
16	Unanimous recommendation to accept the NSW DPI proposal in principle in regard to real time quota reporting arrangements for the Spanner Crab component of the Ocean Trap and Line fishery, noting support of change to pre-land requirement as proposed.
17	Unanimous recommendation to accept the NSW DPI proposal in principle in regard to real time quota reporting arrangements for the Lobster fishery, noting that further details to be considered and potentially included in real time reporting requirements.
18	Unanimous recommendation to accept the NSW DPI proposal in principle in regard to real time quota reporting arrangements for the Abalone fishery. Noting that further details to be considered, including secure bin tags, landing out of jurisdiction and receivers retaining chain of custody.
19	Unanimous recommendation to accept the NSW DPI proposal in principle in regard to real time quota reporting arrangements for the SUTS fishery. Noting that further details are to be considered and NSW DPI investigates any outstanding SUTS fees and attempt to recover fees or cancel those licences that don't comply.