

## **Questions on Notice from hearing on 19 December 2016**

### **Question 1 - 11 consultation papers**

#### **CONTEXT**

The Hon. GREG PEARCE: It might help the Committee if the Minister were able to give us the 11 working paper titles so we can see the issues being worked.

The CHAIR: Can you take that on notice?

The Hon. NIALL BLAIR: Yes.

#### **ANSWER**

1	Regulations to support redefinition proposal polls
2	Transfer rules for new share classes
3	Transfer rules for new quotas
4	Criteria for the allocation of new effort shares in the ocean prawn trawl fishery
5	Additional dillies - Spanner crab north
6	Crew in the Estuary General Fishery
7	Net length for general purpose hauling nets in the Ocean Hauling Fishery
8	Deterring unlawful participation in prawn ballots
9	Linking ocean hauling shares to crew (GP + PAB nets)
10	Real time quota reporting requirements – Estuary General Fishery
11	Real time quota reporting requirements – Ocean Hauling Garfish

### **Question 2 - peak industry bodies**

#### **CONTEXT**

The Hon. RICK COLLESS: How were the Victorian, West Australian and Northern Territory seafood councils established? Were they established under that framework or by the industry itself?

The CHAIR: Mr Hansen, when you take the question on notice could you also take account of the recreational fishing peak bodies and how they operate, such as VRFish, West Australian Fisheries and Sunfish Queensland?

## ANSWER

The Department of Primary Industries does not have detailed information about the formation of other jurisdiction's peak bodies and notes a variety of mechanisms and models have been used. Important considerations include a peak body being owned and driven by industry, and the appropriate separation of consultation, advisory and lobbying roles.

### Question 3 - peak body costs

#### CONTEXT

The Hon. NIALL BLAIR: That is what we have said we are doing. The difference is that when we went to market previously we did not receive value for money.

Mr JUSTIN FIELD: The report suggested the cost of establishing a body like that. Did it not specify a figure of about \$700,000 or \$750,000? There was no surprise that that was the figure.

Mr HANSEN: I will take that question on notice. The industry needs certainty about this reform process. To invest funds to establish a peak industry body for the commercial fishing sector on the eve of the culmination of 20 years of reform is probably a couple of months shy of where it should be.

## ANSWER

Recommendation 13 of the report *Development of an industry representative framework for co-management in NSW fisheries* suggested a peak body structure would require funding of \$500,000 to \$700,000 per annum. The report also suggested there was merit in partial government funding, under certain conditions. The NSW DPI issued a "request for tenders" to provide consultation services relating to NSW commercial fishing industry. This was just one function a peak body might provide for fishers. However, while there were a number of tenders submitted, all fell down on more than one criteria. Price was not the sole determinant for success in tender evaluation and all tenderers were advised and briefed on the shortfalls in their proposals.

### Question 4 - demerit point system

#### CONTEXT

The Hon. GREG PEARCE: In your opening comments you address one of the issues, that is, offenders who continue to have licences and whether you should be enforcing whatever powers you have. The Committee has not heard anything that will allow us to give you anything meaningful on what penalties or suspension action should be taken. Should that be the subject of another working party, if it is not one that you have?

The Hon. NIALL BLAIR: It is something that I have heard before about the repeat offenders. It is something the department has been looking at. We may be able to come back in the supplementary submission about that. I mentioned a demerit system or a suspension. That is something we will come back to you on

## **ANSWER**

The government is considering the merits of a demerit and suspension system for repeat offenders.

Demerit point systems have been introduced in a range of jurisdictions as a deterrent against fisheries offences. For example:

- In South Australia, anyone found guilty of a fisheries offence or required to pay a fine will accrue demerit points. 200 demerit points accrued in a 5 year period can result in a cancellation of the fishing authority, and disqualification from holding a fishing authority for 10 years. This applies to commercial and recreational fishing.
- Alaska introduced demerit points against salmon permit holders in 1998. An accumulation of demerit points can result in the suspension of a permit from one to three years.

Issues that will need to be considered in NSW include:

- The types of offences that will attract demerit points
- The differences between minor and major offences
- How it will apply to different fisheries
- The impacts and ramifications of multiple demerit points
- The most appropriate legal mechanisms to implement the scheme

Input from the industry will be sought on any demerit system developed for NSW.

## **Question 5 - administration costs**

### **CONTEXT**

The Hon. Dr PETER PHELPS: A couple of questions for Mr Hansen in particular. One of the recommendations talks about the possibility of falsification of landed catch records and makes a suggestion that, "The collection of data should be recorded as soon as the catch is landed. This should happen for all sectors, commercial and recreational fishers." What would be the cost and administrative implications of recording every landed catch of a recreational fisher in New South Wales?

Mr HANSEN: I would have to take that on notice. It would obviously be pretty significant

### **ANSWER**

There are an estimated 850,000 to 1,000,000 people who recreationally fish in NSW each year. Many of the people who recreationally fish in NSW are from interstate and overseas, or may be NSW residents and only fish once or twice a year. This presents a range of significant administrative and compliance issues if every landed catch of recreational fishers in NSW was to be recorded.

Estimates of recreational fishing landings are determined from robust and proven scientific surveys which include a process of validation. The current survey methodology used to estimate recreational fishing catch does include recording of every landed catch of a sample (or subset) of recreational

fishers during a given time. This is then extrapolated out to estimate the total catch of all fishers over time.

The costs and administrative implications of recording every landed catch of all recreational fishers would vary greatly depending on the reporting procedures, analysis methodology, validation protocols and compliance measures built into the program.

### **Question 6 - DPI website**

#### **CONTEXT**

The Hon. Dr PETER PHELPS: There are also complaints about the Frequently Asked Questions page on the Department of Primary Industries [DPI] website that when new information is being put up it is not being recorded as new. For example, it is not flagged as new. Previously that apparently was being done. Is there any way of reintroducing that system or alternatively having a system where one actually has "What's new?" as a separate category heading on the appropriate page, so that one can find what is actually new, based on the last update?

Mr HANSEN: Yes, we will take that on board.

#### **ANSWER**

Yes – the department will identify new information that is posted on the DPI website.