

OTLMAC DRAFT OUTCOMES - 16 & 17 NOVEMBER 2009

Agenda Item	Outcome
1. Welcome and Apologies	<p>The Chairperson, Mr Julian Amos, welcomed all members and observers to the meeting, and recognised the appointment of Mr Raymond Blake (demersal fish trap north) to the Committee.</p> <p>Members Vacant - Spanner crab Paul Porter - Line fishing (eastern zone) north Vacant - Line fishing (eastern zone) south Raymond Blake - Demersal fish trap north Paul Sullivan - Demersal fish trap south John Joblin - Line fishing (western zone) north Garry Braithwaite - Line fishing (western zone) south Oliver Wady - Recreational representative Megan Kessler- Nature Conservation Council Veronica Silberschneider - I&I NSW</p> <p>Observers/Attendees I&I NSW – Mr Andrew Goulstone I&I NSW – Dr Doug Ferrell I&I NSW – Ms Miriam Vandenberg I&I NSW – Dr Will Macbeth I&I NSW – Mr Marcel Green I&I NSW – Mr Paul Blade I&I NSW – Dr Vic Peddemors I&I NSW – Mr Peter Brown I&I NSW – Mr Bryan van der Walt DEWHA – Mr Alex Hulme DEWHA – Ms Kathryn Read DEWHA – Mr Martin Russell Shareholder - Mr Eddie Norris Shareholder - Mr Darren Ward Shareholder – Mr Denis Brown</p>
2. Agenda	The Committee noted and agreed on the agenda for 16 & 17 November 2009.

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3. Draft Minutes	Final draft outcomes of 22 & 23 June 2009 were confirmed.
4. Correspondence	The Committee noted correspondence received and sent as amended to include letter regarding the industry reform package (Pymont Pact) to the Minister and response received.
5. Business arising from previous minutes	List of action items were noted and amended. The Committee also noted the Department's internal restructuring process with a view to focus on resource planning groups and using risk management methods to set the work program.
6. Shark Fishing off NSW – Integration of State & Commonwealth catch data.	An assessment of both the State and Commonwealth reported shark catch off the NSW coast was presented to the Committee by Vic Peddemors. The Committee noted the results, including the limited overlap for both the species caught and the area fished between OTLF fishers and Commonwealth fishers. Some overlap in the south between SET and OTL fisheries was noted, however not with whaler species.
7. Update on the results of the observer program/	An update on the observer program was presented to the Committee by Will Macbeth. Members noted the preliminary results of the 2 year line observer program with the report due early next year, and the results of the shark observer program which would be made available shortly.
8. Update on export approval and independent review of the sustainable shark catch.	Alex Hulme from the Commonwealth Department of the Environment, Water, Heritage and the Arts (DEWHA) gave an update on the status of export approval for the OTLF. He noted that it is likely the Commonwealth would be extending the LENS for the OTLF by a further four months to provide sufficient time to review the CSIRO review on the NSW shark catch and arrangements in NSW waters (only just received by DEWHA) and the observer survey results. He noted that DEWHA would be seeking further public comment on the assessment and this new information before any final decisions are made on future export approvals.
9. Shark management arrangements	<p>The Committee's advice was sought as to the options presented in the agenda paper. After lengthy discussion over the course of the two day meeting, the Committee decided not to support any proposal for a price-based tender process for permits, but to support:</p> <ul style="list-style-type: none"> • The division of a catch limit between the 'historical' (or 'general') fishery of 140 tonnes whole weight (July 2009 – January 2011) and the permit component of the fishery of 150 tonnes whole weight (February 2010 – January 2011), pending the outcomes of the CSIRO review and observer studies. • The issuing of permits to allow targeted large shark catch above historical levels, along with the following: <ul style="list-style-type: none"> • An expression of interest (EOI) to be circulated to all business owners who hold at least the minimum number of line fishing shares. • The number of permits will be determined once the total catch level is decided, following the CSIRO review and negotiations with DEWHA, and using a minimum tonnage per permit of around 12-14 tonnes. • The EOIs will need to address a number of criteria including, but not limited to: demonstrating markets for disposal the fins and trunks (or appropriate disposal avenues for non-marketable trunks), possession of appropriate fishing gear,

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	<p>and agreement to all permit conditions. Draft criteria (developed during the meeting) will be distributed to shareholders for comment prior to EOIs being finalised and sent out</p> <ul style="list-style-type: none"> • Permit conditions will include, but are not limited to: a mandatory requirement to carry observers when requested, pre & post reporting and daily reporting including record of catch disposal so catch can be more easily traced through market system. • There should be an option for a 'consortium' of shareholders to apply for the catch allocated to permit (with each shareholder within the consortium getting a share of the catch allocation/costs/requirements/etc.); • Attributable management, research (observer) and compliance costs to be recovered from permit holders - costs will be outlined in the EOI process so fishers can make an informed decision as to whether or not they would like to apply; • EOIs to be assessed by a panel including an I&I NSW representative, the OTLMAC chairperson, and an independent member (possibly an expert from another jurisdiction), with the ability for the panel to contract in an independent business expert if needed to advise on the marketing/business aspects to the EOIs with all costs to be covered by the successful permit holders. • Should the catch limits not be known prior to the EOIs having to be sent, any shortfalls in the catch limit (when known) relative to the forecasted figures will be deducted from the 'general' portion of the catch, but only if it equates to less than 25% of the total portion of the catch allocated to the 'general' component of the fishery. If it equates to more than 25%, then the issue should be referred back to the MAC for further advice. <p>The NCC representative's objection to any targeted shark fishery until/unless a sustainable catch can be demonstrated is noted.</p>
10. Update on the East Bioregional Planning Process	The Committee noted the presentation and documentation tabled by Martin Russell from the DEWHA.
11. Minimum Shareholding Update	The Committee noted the restructuring that has occurred since implementation of the OT&L Share Management Plan.
12. Industry Reform for NSW Commercial Fisheries	<p>I&I NSW (Doug Ferrell) updated the Committee on the Industry Reform Program for NSW Commercial Fisheries and sought the Committee's views on options for linking shares to tradeable units and on SIAC's recommendation for a \$500 exit grant levy. The Committee discussed the options presented in the agenda paper and by I&I NSW at the meeting.</p> <p>The Committee did not support linking shares to catch and/or effort at this stage (with the exception of continuing to explore this option for the spanner crab component of the fishery) or further raising the minimum shareholding. The Committee's preferred approach for restructuring within the fishery is to implement full cost recovery in a speedy manner to prevent the subsidised continuation of latent effort. Consideration could be given to further restructuring options in future depending on what adjustment</p>

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	<p>occurs following the introduction of full cost recovery.</p> <p>The Committee supported the use of exit grants, including payment of a fishery specific levy, to be used for buying out OTLF shares. There was no objection to the \$500 levy proposed, with higher amounts also suggested. The Committee proposed that funds collected on behalf of OTL fishing businesses be spent under the guidance of OTLMAC.</p>
13. Introduction of a size limit and changes to Cobia bag limit	The Committee supported the introduction of a bag limit of 5 and there was no objection to a sensible size limit. A recommendation on the size limit was deferred until better size at maturity information was available.
14. Proposed introduction of a fishing closure within the HMAS Adelaide Reserve.	The Committee supported the proposed introduction of the closure noting that the costs of setting and maintaining the marker buoys be carried out by NSW Land and Property Management Authority.
15. Updates	<p>Research</p> <ul style="list-style-type: none"> • An update and summary of the observer program was provided. <p>Compliance</p> <ul style="list-style-type: none"> • An update and summary on compliance activity was provided. <p>Conservation</p> <ul style="list-style-type: none"> • An update and summary on conservation issues was provided. <p>Management</p> <ul style="list-style-type: none"> • Spanner crab update – The Committee did not support the proposal from the Department to extend the 40 share minimum shareholding deadline for the spanner crab share class from 5 January 2010 to 1 July 2010 to provide additional time to determine whether the fishery should be managed by quota. The Department advised that such a deferral would be enough time to distribute the discussion paper to shareholders, make a decision on the approach and implement a new approach if so decided. <p><i>[Following the MAC meeting – support for maintaining the January implementation date has been withdrawn by one member who now supports deferral until 1 July 2010.]</i></p> <ul style="list-style-type: none"> • Circle hook definition – the Committee noted the proposed removal of the part of the circle hook definition ‘commonly known as a circle hook’ to eliminate any potential ambiguity of that part of the definition. • Escape panel mesh - OneSteel is no longer able to produce the 50 x 75 mm weld mesh rolls due to the sale of one of its manufacturing plants. I&I NSW highlighted that while it is predominantly fishers responsibility to source and purchase the

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	<p>gear required to fish, the Department had a potential role (in lieu of there being no central industry association) in helping to coordinate bulk orders if needed or to refine the BRD specifications as far as possible based on the available material (without substantially compromising the effectiveness of the BRD). A small working group comprising the two demersal fish trap members and an I&I NSW staff member will work on an ongoing solution to the issue. Options proposed for use in the meantime include: the use of 50 x 75 mm weld mesh panels, an alternative brand or another mesh size that still meets the minimum requirements of the regulations.</p>
16. Introduction and overview of new fish online system	The presentation and information was noted by the Committee.
17. Renewal of abalone viscera closure	The Committee supported the 5 year renewal of the banning of abalone viscera as bait or berley.
18. Empowering stakeholders to initiate and advance R&D projects	The Committee noted the information provided.
19. Other Business	<ul style="list-style-type: none"> • The Committee considered and supported the renewal of the Cook Islands Aquatic Reserve closure. • Members requested that the Seafood Industry Advisory Council Chairperson provide SIAC Agenda to the OTLMAC prior to meetings.
20. Chairperson summary	The Chairperson closed the meeting.