

DRAFT OUTCOMES from Lobster Industry Working Group meeting held on 7 April 2011

Agenda Item	Outcome
1. Welcome, apologies and introductory remarks	<p>Meeting started at 8:45am</p> <p>The Chairperson welcomed everyone to the first meeting for 2011.</p> <p><u>Attendance:</u> Alan Dodds (Chairperson), Noel Gogerly, Lee Monin, Peter Offner, Daniel Stewart, Scott Westley, Doug Ferrell, Belinda Lucas, Geoff Liggins, Robert Peever, Paula Brown, Oliver Wady.</p> <p>Amy Priestly (Secretariat).</p> <p><u>Observers:</u> Ron Firkin, Darryl Sykes.</p> <p>The chairperson asked members, following some comments that had been made to him, if a brief overview on the current status of the FishOnline program was needed during the meeting. However, industry members generally indicated they were happy with the progress thus far, acknowledging that any outstanding issues will be looked at as part of the upcoming review of the management plan.</p> <p>As no further items were proposed, members agreed to the previously circulated draft agenda for this meeting.</p>
2. Correspondence received and sent	<p>The correspondence received and sent by the group was noted.</p> <p>The chairperson asked for an update on the status of correspondence sent on 27 October 2010 in relation to the Review of the TACC setting process. The group was advised that it is currently under review within NSW DPI.</p>
3. Confirmation of final minutes from the LIWG meeting held on 14 October 2010	<p>The LIWG members confirmed the Final Draft minutes from the LIWG meeting held on 14 October 2010 as being a true and accurate record of the meeting.</p>
4. Business arising from previous meetings	<p>The LIWG noted the current status of action items.</p> <p>Darryl Sykes advised that the National Lobster Congress will be held in New Zealand in August this year and extended an invitation to NSW DPI Management, Science and Research, and Compliance. An official invitation</p>

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	would follow when the event program is finalised.
<p>5. Update on the Total Allowable Catch setting and Review Committee (TAC Committee) program for 2011/12</p>	<p>The LIWG was provided with an overview of the information that is to be submitted to the TAC Committee from DPI Management, Compliance, and Science and Research for their deliberations on the 2011/12 TACC.</p> <p><i>a) Management</i> The LobMAC was provided with an overview of the management submission to the TACC. Industry members queried when the current forfeited shares would go up for tender.</p> <p>Action: NSW DPI Management will advise Industry of the proposed process for dealing with the current forfeited shares.</p> <p><i>c) Compliance</i> The LobMAC was provided with an overview of the Compliance submission to the TACC.</p> <p>Industry members suggested that the Compliance submission to the TACC could be adjusted to show a more detailed breakdown of what illegal commercial fishing activities are being undertaken. At present, compliance in the commercial lobster fishery is at 82%. Industry suggested that Compliance break down their figures on commercial fishing offences to differentiate; (a) what the offences are and; (b) how many individual offenders commit multiple offences. This will help to better reveal the nature of the offences and give an accurate assessment of the scale of non-compliance amongst commercial fishers.</p> <p>Action: NSW DPI Compliance will extract this information from their database for future submissions.</p> <p><i>c) Research</i> The LobMAC was provided with an overview of the information that is to be submitted to the TAC Committee.</p>
<p>6. Change to the NSW Lobster season quota dates</p>	<p>The proposed change to the NSW Lobster quota season was discussed. The group was advised that a briefing on the proposal and industry submissions has been prepared and will be provided to the new Minister at the first possible opportunity.</p> <p>If the proposed change is approved before the commencement of the 2011/12 season, a 13-month season will be determined from 1/7/11 to 31/7/12 in order for subsequent seasons to run from 1 August to 31 July.</p> <p>If the proposed change has not been approved before the start of the 2011/12 season, NSW DPI proposes to start with a 12-month season and possibly re-determine to a 13-month season should the change be approved</p>

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	<p>during the season. The substantial administrative issues associated with a mid season re-determination however would need to be addressed. Alternatively, the proposed change could come into effect at the commencement of the 2012/13 season.</p> <p>If approved, the new season dates will need to be re-evaluated after 3 years.</p> <p>Committee members indicated that concerns expressed by some inshore North Coast fishers could be managed by adopting changes in fishing practices with fishers starting their season in August (a month later than usual) and holding the rest of their quota until the end of the season in order to fish in July (the proposed last month of the revised quota season). Alternatively, they could look to purchase additional quota at that time, a task expected to be much better facilitated by the new FishOnline processes. Nevertheless, despite the later start to the season, it is believed that lobsters would still be available in good quantities during August and September. It was suggested that meeting with the new Minister could be arranged if necessary to explain why the changes are beneficial to the industry as a whole.</p> <p>Recommendation: Industry members support the proposed change. It is acknowledged that the proposed change may cause some impact for a small number of shareholders however industry members are of the view that the proposed change will provide greater benefits for the majority of the fishery.</p> <p>Action: NSW DPI informs the TAC Committee of the proposal to change the lobster quota season.</p>
7. Management Charges for the Lobster Fishery	<p>NSW DPI Management provided an update on the current management charges for 2010/11.</p> <p>The management charge for 2010/11 is \$45.15 per share. This is a decrease of \$12.06 per share (21.08%) from the previous fishing period, largely attributable to changes to the proportion of compliance salaries being recovered for the 2010/11 period and the carry-over of funds from the previous period.</p> <p>The environmental assessment charge (cost of preparing the EIS) is \$7.49. The final payment of the charge is payable in the current fishing period.</p>
8. Reading difficulties and completing catch record returns	<p>A complaint was received from a fisher concerning the legislated requirement to send in completed catch records. The fisher stated that he experienced difficulties when filling out the required information on each catch record because of literacy issues.</p> <p>The group was advised that offers of assistance had previously been made to this fisher, but largely without</p>

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	<p>ongoing success. Most recently a letter has been sent formally requiring the outstanding information, after previous approaches have not yielded the required result. It was also re-iterated that fishers can seek the assistance of another person when filling in catch records.</p> <p>Industry members agreed that it was their view that the completion of lobster catch records was the responsibility of each fishing business owner within the fishery and they supported the requirement to obtain current catch record information without exception.</p> <p>Recommendation: Compliance Officers to meet with the fisher to discuss and explain in detail the content of the letter sent previously in order to elicit whether the fisher understands the correspondence and his responsibilities, and to advise the Department as to what assistance he intends to obtain privately to help him to meet his obligations.</p>
9. Weights on ropes and gear marking	<p>Weights on ropes</p> <p>An industry member raised concern regarding the requirement when fishing for all lobster traps to have a weight of not less than 50 grams attached under the buoy in order to stop the rope floating on the surface of the water. - It is deemed to be very dangerous especially in shallow water near the rocks and breaking waves.</p> <p>The following options were discussed:</p> <ul style="list-style-type: none"> • the use of corded rope instead of a 50g weight • removal of the weight requirement completely • amendments to the existing regulation to allow a set length of rope to float on the surface • investigating the length of floating rope considered operationally practical for lobster fishers and safe for the broader sector of waterway users <p>Recommendation:</p> <p><i>Weight requirement:</i> Industry recommended the removal from the regulations of the requirement for a weight on ropes.</p> <p><i>Length of rope allowed on surface of the water:</i> An industry representative volunteered to speak to local fishers to ascertain if a rope length of 4m would be a more practical solution and relay the information to the Department in one week. .</p> <p>The next step will include a consultation process with other external stakeholders such as: NSW Maritime, Surf</p>

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	<p>Life Saving Australia, recreational divers and spear fishers. NSW DPI will also seek advice internally.</p> <p>Update: <i>The nominated industry representative consulted with fishers and provided advice that a floating rope length of 2m above high tide was an appropriate solution.</i></p> <p>Gear marking: An industry representative requested clarification of markings required on lobster trap floats/buoys Currently lobster fishers are able to use the following numbers:-</p> <ul style="list-style-type: none"> • Fishing Business (FB) number, • Fishing Licence (FL) number, • Licenced Fishing Boat (LFB) number <p>NSW DPI Management advised that the licensing of fishing boats would be managed by Maritime in the future. The timeframe of this change over is yet to be determined.</p> <p>Industry discussed the inconsistent interpretation of the gear marking regulation by compliance officers in the field (particularly in relation to gear registered in the name of one fishing business partner but needing to be accessed by the other partners) and supported a move towards the use of one identification number.</p> <p>Recommendation: Industry would prefer the use of the Fishing Business number with the letter “L” at the end over the next two years. NSW DPI to investigate the implementation of a formal association between fishing business partners so that they are able to access each others gear and catch while in the field. DPI is also to provide an indication to industry as to when it will no longer license fishing boats in order for a transition strategy to be agreed with industry regarding the changeover of all gear markings to a single, consistent number throughout the fishery.</p>
9. 10. Solitary Islands Marine Park Zoning Plans	<p>An industry member expressed concern over the implementation of three special purpose zones that remove commercial fishing effort from within the Solitary Islands Marine Park. Of particular concern is the creation of the Corindi Rock Platform Aboriginal special purpose zone which contains valuable lobster fishing grounds. It was noted that there were no special purpose zones detailed in the draft zoning plans and the information was not part of the public consultation process.</p> <p>Industry believes that the impacts of these changes will have a detrimental effect on the lobster industry by preventing fishers from accessing valuable lobster fishing grounds. It was noted that operators within the Ocean</p>

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	<p>Trap & Line fishery were offered compensation for loss of access but no offer has been made to the Lobster fishers who are impacted.</p> <p>Recommendation: NSW DPI Management to draft a letter on behalf of Industry members expressing their strong concerns regarding the lack of transparency in the draft zoning plan process particularly with regard to the omission of the special purpose zones in the public consultation. Industry also requested clarification on why there are no offers of compensation to Lobster fishers who have extensively fished this area historically and who view these grounds as a valuable resource.</p> <p>Action: NSW DPI Management to seek advice on the provisions which allow the Marine Parks Authority to implement special purpose zones.</p>
9. Other Business	<p>Quota transfers A fisher from the Coffs Harbour region has submitted an agenda item complaining about the time it takes for a quota transfer. He would prefer to ring up and buy quota in an effort to speed up the process.</p> <p>At present, the Department processes quota transfers in a timely manner and reminded industry that certain circumstances impede this process. For example if fishers have outstanding catch records or have exceeded their allocated quota. The implementation of FishOnline later in the year will streamline this process further as long as catch records returns are up to date.</p> <p>Action: NSW DPI Management to investigate if there will be any charges associated with completing a lobster quota transfer through FishOnline.</p> <p>TACC Meeting date setting An industry member queried the setting of the TACC meeting dates as holding the meeting in April is an inappropriate time for the Lobster fishery as most fishers are extremely busy in the lead up to Easter. It was believed that forward planning by the Department would alleviate this problem. The matter was agreed to be raised at TACC in an effort to get LIWG and TACC meeting dates agreed as early as possible for the following year.</p> <p><i>Management Advisory Committee (MAC) Review</i></p>

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	<p>An industry representative requested an update on the MAC review that was undertaken. NSW DPI Management has received recent advice that the review will be limited to investigating advisory arrangements in other states.</p> <p>Motion: NSW DPI Management recommended that completed action items that have appeared on the agenda once, be removed from the list. Carried.</p> <p>The Chairperson thanked everyone for their participation and involvement. Meeting Closed at 15:55.</p>