

**Lobster Management Advisory Committee Meeting
Final Outcomes
Wednesday 28 March 2007
Cronulla Fisheries Research Centre of Excellence**

Agenda Item	Outcome	Action Item	Time	Responsibility
	<p>The Committee was advised that the process for formal appointment of an independent chairperson and recreational representative to the Committee is underway. Mr Oliver Wady, the previous recreational representative, was however welcomed to the meeting to ensure continuity of representation.</p> <p>Mr Firkin, who has previously filled the role of MAC chairperson, advised that he was unable to chair the meeting and industry members recommended that Mr Oliver Wady undertake the role of Chairperson for the meeting.</p> <p>Industry representatives expressed concern that LobMAC had not had input into the selection process for the position of independent chairperson and requested the opportunity to be involved in the process with DPI in the recommendation of the chairperson.</p> <p>The MAC was advised that independent chairpersons are appointed by the Minister.</p>	<p>Further advice be provided to the MAC re the process undertaken for appointing an independent chairperson.</p> <p>Advice be provided as to when the appointment has been formalised.</p>	June 07	DPI
	<p>Welcomes and Apologies</p> <p>The Chairperson opened the meeting and welcomed all members and observers to the meeting.</p> <p><u>Attendance:</u> Noel Gogerly, Ron Firkin, Barry MacBean, Daniel Stewart, Scott Westley, Arthur Dye, Oliver Wady, Anne Macready, Darryl Sullings, Amy Priestly, Eddie Douglas, Dianna Watkins, Peter Turnell, Steve Montgomery, Geoff Liggins, Tony Chen, Marcus Miller, James McLeod</p> <p><u>Apologies:</u> Tony Andrews</p>			

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	<p>Agreement on Agenda for 28 March 2007 The Committee agreed on the agenda for 28 March 2007 with the addition of items for other business.</p> <p>Industry expressed concern that an item on management charges had been proposed by a member however was incorporated into the DPI budget item. Industry recommended that in the future if any item is proposed by industry it should be listed as a separate item on the agenda.</p>			
	<p>Confirmation of draft outcomes of the 16 November 2006 The Committee recommended more timely distribution of the draft minutes. The Committee discussed the draft outcomes of the 16 November 2006 meeting and proposed the following amendment to agenda item 1. '...they are able to retain the boat licences <u>with a history</u> in the lobster fishery.'</p> <p>The draft minutes were accepted subject to the proposed amendment. Motioned by Ron Firkin and seconded by Barry MacBean</p>	Draft minutes to be amended as per industry recommendation and distributed as a final version.	May 07	DPI
	<p>Correspondence received and sent Industry requested an update on the use of 50gm weights on trap ropes. This was discussed under business arising from the minutes.</p>			
1	<p><i>Business arising from the minutes</i> <u>Agenda item 1 from 16 November 2006</u> Industry members expressed strong dissatisfaction with DPI in regard to the timeliness and content of information provided on the marine park buyout program. Clarification on the buyout program was requested urgently by Industry at the November 2006 meeting, however information wasn't received until February. Industry claimed the information eventually supplied was inconsistent with the information provided verbally at Marine Parks meetings.</p>			

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	<p>DPI acknowledged that there had been a delay in obtaining the information due to a number of factors. It was noted that the information requested related to interpretation of the Marine Park's contract with individual business owners and that fishers involved in any such process should seek their own independent legal advice.</p> <p>To prevent future confusion with respect to delivery on action items DPI proposed that a timeframe be clearly specified for all action items in the future. Members agreed that if timeframes are not met by the due date, all members of LobMAC should be notified.</p> <p><u>Agenda item 3 from 16 November 2006</u> The matter relating to consultation with stakeholders regarding the use on 50gm weights on trap ropes was discussed. It was agreed that no alternate solution or recommendation has been identified by stakeholders. The need to prevent excess rope floating on the surface of the ocean and the disadvantages of using weights was discussed however no agreed alternative was developed.</p> <p>DPI confirmed that the current legislation requires weights on trap ropes and fishers must adopt measures to ensure that floating excess rope is kept to a minimum.</p> <p><u>Agenda item 1 from Business arising from previous meetings</u> A letter was sent in 2001 to the Commonwealth Minister for Transport and Regional Services requesting assistance in preventing destruction of NSW lobster fishing gear by large cargo vessels. LobMAC noted there was a reduction in such interference following this letter and agreed to another letter being sent to reaffirm the request for consideration of NSW fishing gear surrounding the 100 fathom contour.</p>	<p>Letter be sent</p>	<p>June 2007</p>	<p>MAC chair</p>

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	<p><u>Agenda Item 2 from Business arising from previous meetings</u> Industry requested a letter be sent to TrawlMAC identifying specific coordinates of lobster trapping areas around Sydney to mitigate interference with lobster gear</p> <p>Industry representatives requested information on the number of trawlers in the south east trawl fishery operating out of the Sydney area.</p>	<p>Industry to provide coordinates and DPI to draft letter to TrawlMAC</p> <p>Provide advice re number of SETF vessels operating out of Sydney</p>	<p>June 07</p> <p>Next meeting</p>	<p>DPI</p> <p>DPI</p>
2	<p>2007 / 2008 Draft budget and review of 2006 / 2007 budget A draft budget for the 2007/08 fishing period was provided for consideration by the Committee.</p> <p>Industry members agreed in principle with the level of service provided for in the budget however stated that the industry's capacity to pay this level of management charge is limited. Industry again expressed their concern with the Governments policy on cost recovery and the application of the broad principles recommended by the IPART.</p> <p>The LobMAC noted the Treasurers requirement that an independent economic review be completed by 2008 to provide guidance with regard to setting a community contribution. The LobMAC recommended that the DPI initiate this review immediately and ensure the Terms of Reference include scope to consider industry's capacity to pay current management charges and to provide advice on the current cost recovery policy. The LobMAC also recommended that the level and type of management charges applied in fisheries in other jurisdictions also be considered.</p> <p>Industry further advised that they are seeking legal advice regarding options to contest the current management charge structure and that a meeting with the Minister has been sought.</p>	<p>Provide advice on progress of this review</p> <p>Review draft budget and advise the MAC if further savings can be identified.</p>	<p>Next meeting</p> <p>May</p>	<p>DPI</p> <p>DPI</p>

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	<p>DPI advised that a further re-examination of administration, research, compliance programs and other services to the lobster industry can be undertaken, however is unlikely to result in fees being reduced to the level requested by industry.</p> <p>Industry members of the committee indicated that they would not wish to see any reduction in the level of services without extensive consultation with LobMAC. Members were not supportive of a reduction in research capacity.</p>			
3	<p>Update on the Total Allowable Catch Setting and Review Committee (TAC Committee) program for 2007 / 2008</p> <p>The TAC Committee will meet on 16 and 17 April 2007 as part of its process to determine the Lobster TACC for the 2007 / 2008 fishing period.</p> <p>DPI Research, Management and Compliance provided the Committee with an overview of the information to be provided in the DPI reports to the TAC Committee.</p>			
4	<p>Update on NSW Marine Parks</p> <p>The most recently created NSW marine parks are the Port Stephens - Great Lakes Marine Park and Batemans Marine Park, which will become operational in April and June 2007 respectively.</p> <p>As a result of the implementation of the Port Stephens - Great Lakes and Batemans Marine Park, the NSW Government has invited lobster shareholders to register an interest in a marine park buy out program and this process is currently being finalised.</p>			

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	<p>DPI provided a verbal update on the current situation of the marine park buy out program.</p> <p>Industry raised concern that only one commercial fisher representative was allowed on the working group for the Port Stephens Great Lakes Marine Park and that the sanctuary zones of the final zoning plan changed from the draft without any consultation or notification on the change. It was stated that an area with minimal recreational and commercial impact could have been recommended for inclusion in the marine park. An industry member stated he has contacted the DPI buyout unit to express his dissatisfaction with the program.</p> <p>The Committee recommended that a letter be sent to the Marine Park Authority and DPI Fisheries Information and Buyout Branch detailing the LobMAC's concern and feedback regarding development of the Port Stephens - Great Lakes and Batemans Marine Parks.</p> <p>The Committee also requested information on the mechanism for determining the number of shares to be bought out through the buyout program.</p> <p>Industry requests a senior representative from the Marine Park Authority attend the next meeting to provide advice on the development and future review of NSW marine parks.</p>	<p>LobMAC to forward comments to DPI for inclusion in letter to Marine Parks Authority</p> <p>DPI to forward letter to Marine Park Authority and DPI Fisheries Information and Buyout unit</p> <p>DPI to advise LobMAC of the process for determining the number of shares considered in the marine park buy out program</p> <p>Invite senior MPA representative to next LobMAC meeting</p>	<p>27 April</p> <p>31 May 07</p> <p>31 May 07</p> <p>Next Meeting</p>	<p>LobMAC</p> <p>DPI</p> <p>DPI</p> <p>Chairperson</p>
5	<p>Notification of lobster trap owners when their traps are checked by compliance officers</p> <p>Industry representatives raised the issue of NSW Fisheries Officers checking commercial lobster traps and requested consideration of adopting the practice of informing the relevant commercial fisher that the gear has been checked.</p>			

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	<p>When an officer pulls lobster gear for inspection, it can be inadvertently moved and placed in a different position. It was requested that officers contact fishers to inform them that their gear has been inspected so that the fisher can then reposition the gear if required.</p> <p>DPI compliance noted the proposal by industry and supported the development of a process for Fisheries Officers to advise commercial lobster fishers if their gear has been inspected.</p>	<p>DPI Compliance to develop an appropriate process for notifying lobster fishers following inspection of their lobster gear.</p>	<p>June 07</p>	<p>DPI</p>
<p>6</p>	<p>Share Management Plan Clauses 22 and 48 Industry has raised concern with the term ‘immediately’ in clauses 22 (rock lobster to have tag attached) and 48 (daily log sheet) of the <i>Fisheries Management (Lobster Share Management Plan) Regulation 2000</i> (the Plan).</p> <p>As a large number of lobster may be caught on a given day, the log sheet cannot be filled in until all the lobsters are tagged, therefore the log sheet is not filled out ‘immediately’. Compliance has previously been made aware of this however further discussion is sought on the issue.</p> <p>DPI advised that there is a level of discretion used in application of the regulation regarding ‘immediate’ completion of the form, however it was noted that the term ‘immediate’ is complementary to the provision regarding movement no more than 25 metres from the point of landing and before entering any premises.</p>			

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7	<p>Clarification of Form LIC 8 – Application for Approval of Transfer of Components of a Fishing Business</p> <p>An industry representative expressed the view that the warning provided on the new approved share transfer form implies a lack of business knowledge as a deposit is secured for a share transfer. Further concern was raised regarding the checklist provided on page two of the form that relates to the return of all outstanding logbook returns and unused lobster tags. It was expressed a fisher may be left unable to fish their quota if tags and log sheets are returned and the transfer is not approved.</p> <p>Industry provided comments on the current share transfer form for consideration by the DPI when a review of the form is conducted.</p> <p>DPI advised the new form has been developed to streamline the process. DPI will consider the comments provided by industry regarding the share transfer form when the form is reviewed.</p>	DPI to consider LobMAC comments on share transfer form when reviewed		DPI
8	<p>Management, Research, Management Planning and Compliance Update</p> <p><u>Management Planning</u> The Committee was informed that the lobster FMS has been finalised and all shareholders will be notified in the near future.</p> <p><u>Management</u> Following the finalisation of the lobster FMS a review of the Lobster Share Management Plan and management arrangements will be undertaken and relevant management responses incorporated.</p> <p>A draft code of practice has been developed and will be provided to the Committee for comment out of session.</p>	Provide industry with a draft Code of Practice for out of session comment	June 2007	DPI

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	<p>Industry members commented that discussions about the aims of the observer survey would need to be had with lobster fishers prior to starting the study to ensure informed and adequate cooperation from industry.</p> <p>DPI sought further support in the form of a letter for the revised research proposal regarding ghost fishing.</p>	<p>The Committee to write to the Executive Director for FRDC endorsing the research proposal "Study of Ghost Fishing in the NSW Rock Lobster Fishery.</p>	<p>4 April 2007</p>	<p>LobMAC Chairperson</p>
<p>9</p>	<p>Other business</p> <p>Industry raised the issue of current dredging in Port Kembla and noted there is currently industry representation on a Committee addressing this issue.</p> <p>Industry raised the issue of shark fishers interacting with lobster gear. Industry recommended DPI contact the main operators and request they be careful around areas of lobster trapping</p> <p>Industry requested the DPI explore possible options for a noticeboard on the website or other means of allowing fishers to list available quota and shares to be viewed by other shareholders.</p> <p>DPI advised they are looking into the potential for web based trading, however is subject to other priorities at present.</p>	<p>Call main shark fishers to request consideration of lobster fishing gear.</p>	<p>April 07</p>	<p>DPI</p>
<p>10</p>	<p>Chairperson's summary</p> <p>The Chairperson thanked industry members for his invitation to the meeting and commended the Committee for recognising the need for open and transparent consultation with stakeholders.</p>			