

**DRAFT 2 OUTCOMES from ABMAC meeting held AT Cronulla on 21 April 2010.**

INT10/30291

Agenda Item	Outcome	Action Item	Time	Responsibility
1. Preliminaries	Meeting started at 9:30am			
a. Welcome and apologies	<p>The Chairperson welcomed the Committee members and observers to the 1<sup>st</sup> meeting for 2010.</p> <p><u>Attendance:</u> Warren Martin, George Chung, Anthony Fry, Steven Hunter, Dennis Luobikis, Jim Miller, Annissa, Lawrence Peter Plunkett, Cameron Westaway; Michelle Fordham (Secretariat).</p> <p><u>Observers:</u> Geoff Liggins, Nicholas Schroder, Doug Ferrell, Duncan Worthington</p> <p><u>Apologies:</u> Apologies were received from Annissa Lawrence, Conservation Representative for being late due to family reasons.</p> <p>The Committee acknowledged the local aboriginal tribe, the Dharawal people for holding the meeting on their traditional land.</p> <p>The Industry representatives indicated support for progression of significant management issues that had been complicating progress of the MAC, including decisions on indictable offences; adjustment to fees and size limits south of Wonboyn.</p>	<p>Noted</p> <p>Noted</p>		

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b. Agreement on agenda	Industry stated that progress had been made on many of the outstanding important agenda items including size limits, fee and closures, but are still not satisfied with the timeframes for Agenda papers, I&I NSW TAC submissions and progression of some items.	No change to the agenda		
c. Confirmation of Draft Outcomes from MAC meeting held 18 April 2008	Industry does not accept the previous meeting's minutes as some of the original outcomes as recorded at the meeting were not reflected in the circulated minutes.	The draft minutes remain an unapproved record of the meeting. It is not intended to change them.		

2. Business Arising from previous meeting.
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Discussed at Agenda Item 22	No action here		
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3. Number of MAC meetings in previous 2 years	<p>Chair reported he had cancelled the previous scheduled MAC meeting because Industry representatives advised previous issues as presented in the draft agenda had not been progressed. If this situation were to occur again, the Chair indicated he would initiate a meeting and advise the Minister that a quorum was not present and a reason for that occurrence.</p> <p>Industry members indicated the reason for their non attendance was because they believed that the agenda papers were inappropriate and outstanding agenda items had not progressed enough .</p> <p>Industry members then expressed concern about</p> <ul style="list-style-type: none"><li>• the lack of indigenous representatives at the MAC meetings;</li><li>• the lack of MAC meetings; and</li><li>• Inadequate consultation with out of session MAC items</li></ul> <p>Having regard to the number of meetings it was agreed the Chair is to write to the Minister about the Industry concerns.</p> <p>Protocols for out of session items raised for discussion focusing on the processes for presenting and advancing issues, recognising that the role of the MAC is to advise the Minister.</p> <p>Next meeting tentatively scheduled for October 2010</p>	<p>Noted</p> <p>Chair to write to the Minister regarding Industry's concerns</p>	<p>In the Chair's report to Minister</p>	<p>Chair</p>
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INT10/30291

<p>4. 2011/12 Draft Budget 2008/09 &amp; 2009/2010 Expenditure, Budget sub-committee</p>	<p>Industry sought expenditure reports for 2008/09.</p> <p>I&amp;I NSW advised that: -</p> <ul style="list-style-type: none"> <li>It is not prepared to spend the time to determine/provide accurate past expenditure details; and</li> <li>Only the budgeted items will be charged to industry .if expenditures were in excess of the budget.</li> </ul> <p>Industry members expressed: -</p> <ul style="list-style-type: none"> <li>support for past management charge reductions;</li> <li>concern of calculation of recreational adjustment, I&amp;I NSW to investigate and report to MAC;</li> <li>support for a Budget Working Group. I&amp;I NSW has agreed that the Working Group is to meet via telephone link to discuss budgets;</li> <li>support for the intent of the current budget but reserve full support pending the Working Group's outcomes; and</li> <li>agreed to a recommended timeframe of two months to resolve budgetary issues, under a best endeavours principle.</li> </ul>	<p>.</p> <p>Noted</p> <p>I&amp;I NSW to clarify whether there have been any changes in the methods for determining recreational adjustments within the budget determinations</p> <p>I&amp;I NSW to organise budget working group via phone hook up</p>	<p>Prior to budget discussions</p> <p>When possible prior to finalising budget</p>	<p>I&amp;I NSW</p> <p>I&amp;I NSW</p>
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INT10/30291

5. Record support for outstanding fee arrangements and note SIAC resolution	<p>The Industry members indicated support for</p> <ul style="list-style-type: none"> <li>the arrangements for paying outstanding fees and the continuation of this process beyond 2009/10.</li> </ul> <p>I&amp;I NSW indicated: -</p> <ul style="list-style-type: none"> <li>it can't confirm continuation beyond 2009/10, [note the tabled response from Peter Turnell to Industry members on the MAC].</li> <li>there are still some outstanding fees under this process; and</li> <li>It is committed to recovery of outstanding fees.</li> <li></li> </ul>	Noted  Letter from Peter Turnell to be attached to draft outcomes record.		
6. FMS/EIS budget	<p>The Industry members: -</p> <ul style="list-style-type: none"> <li>Advised that their formal complaint has not been addressed to the Industry's satisfaction.</li> <li>Suggested an independent assessment of how the charges (whole budget) were justified and processes put in place to ensure it does not happen again.</li> </ul> <p>I&amp;I NSW believe that</p> <ul style="list-style-type: none"> <li>A comprehensive final budget was presented; and</li> <li>EIS/FMS budget is finalised.</li> </ul> <p>Acceptance of budget remains outstanding.</p>	Industry and I&INSW views noted  Industry is to continue representations		Industry

**DRAFT 2 OUTCOMES from ABMAC meeting held AT Cronulla on 21 April 2010.**

INT10/30291

7. Perkinsus Report	MAC thanked Geoff Liggins for his interim report and nominated Duncan Worthington as a peer reviewer in conjunction with Geoff Liggins. The reasons for the extended delays were noted.	Review to proceed	In liaison with Duncan Worthington	Geoff Liggins to progress
8. The role of the shareholders' responsibility to his/her divers	Discussion centred on: - <ul style="list-style-type: none"><li>• clarity of shareholder obligations on guidance to their divers;</li><li>• how to guide nominated fisher on legislation; and</li><li>• Industry requested advice/guidance from I&amp;I NSW about the types of circumstances they would consider prosecuting Shareholders for divers' actions.</li></ul> I&I NSW advised new divers have a comprehensive interview with Fisheries Officers.	I&I NSW to advise on a shareholder's responsibilities	For next meeting of Resource Management Committee	I&I NSW

DRAFT 2 OUTCOMES from ABMAC meeting held AT Cronulla on 21 April 2010.

INT10/30291

9. Region 1 South update	<p>MAC agrees: -</p> <ul style="list-style-type: none"><li>• With the concept to facilitate a research fishing program in Region 1 south;</li><li>• Protocols are required for financial arrangements and timeframes; and</li><li>• Results out of survey analysed and submitted to the TAC Committee within 6 months</li></ul> <p>Industry requested that the research should be done with the area opened</p> <p>I&amp;I NSW indicated its aim is to start research fishing in May/June 2010.</p>	Industry is to be provided with relevant I&INSW documents through Duncan Worthington	ASAP	I &I NSW
10.Release of Administrative report & SARG report	<p>Formal motion by Jim Miller , seconded by George Chung, seeking the Chair to write to the Minister requesting the release of both the Administrative Report &amp; SARG Report.</p> <p>I&amp;INSW abstained.</p>	Chair to write to Minister	In the Chair's report to Minister	Chair

**DRAFT 2 OUTCOMES from ABMAC meeting held AT Cronulla on 21 April 2010.**

INT10/30291

11.Finer Scale Management/Variable size limits	<p>Industry expressed strong support for finer scale size limits rather than the broad based size limits but expressed concerns on : -</p> <ol style="list-style-type: none"><li>1. amount of required prior reporting and reporting LFB;</li><li>2. the uncertainty of the 24 hour period, whether dawn to dusk or actual 24 hour.</li></ol> <p>I&amp;I NSW indicated that it had no intention to extend into next day period. Commencement will be from 1 May 2010.</p> <p>Industry, recreational and the conservation representatives support the need for stability suggesting 2 years of no variation in size limits to better assess the impacts from MSL decisions.</p>	I&I NSW to clarify 24 hour period definition	1 Month	I&I NSW
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12. Update on TACC 2010/11	<p>Industry expressed concern that: -</p> <ul style="list-style-type: none"><li>the level of Industry involvement and input to the TAC setting process were inadequate;</li><li>the Committee's processes and timelines were inappropriate, as suggested in previous reviews;</li><li>TAC was not reviewed within this fishing period, in 2009-10, when the Committee stated that the TAC may be reviewed, subject to more information;</li><li>it would like to be involved in the process that selects new members into the Committee and that the Industry would seek an industry member on the Committee and have made representations to this effect;</li><li>There are some errors on beach price in the TACC Management Report</li></ul> <p>MAC noted there was a meeting to be held following the MAC meeting between the I&amp;I NSW management and Industry to address some of the outstanding issues raised in MAC meetings.</p>	Chair to write to Minister	In the Chair's report to Minister	Chair
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**DRAFT 2 OUTCOMES from ABMAC meeting held AT Cronulla on 21 April 2010.**

INT10/30291

13.Indictable offences update/IVR pre & post reporting/rewards	<p>Industry expressed support for new legislation with indictable offences but expressed concern with proposed changes to commercial reporting requirements, including pre-land reporting by phone due to:</p> <ul style="list-style-type: none"><li>• OHS issue.</li><li>• More risk of breaches due to simple recording errors</li><li>• Pre fish reporting – illustrating with example of uncertainty as to where divers will fish due to weather; etc.</li><li>• Issues with mobile phone coverage out at sea</li></ul> <p>I&amp;I MAC representative indicated support for NSW subzones to be reinstated in any reporting system. Industry prefers sub-zones instead of latitudes &amp; longitudes</p> <p>IVR system does not replace the national docketing system although it may be possible to have this task completed by receivers.</p> <p>I&amp;I NSW reported divers in other states like the IVR type system.</p>	Electronic copy of presentation on new reporting processes to be provided to a nominated MAC Industry .representative	ASAP	I&I NSW through Peter Brown
14. Agenda item from Shareholder John Smythe	AbMAC thanks John Smythe for submitting Agenda Item 14 through the appropriate process. Industry to provide further comment. Unsure if John Smythe is referring to the MAC position or the position Industry members of the MAC.	Chair to write to Mr Smythe	ASAP	Chair
15.Catch Reporting Arrangements	Catch reporting didn't provide spatial data until recently. Industry and I&I NSW support subzones for catch data, subject to reporting bins by time to data logger.	noted		

16.Spatial Catch Information	Industry expressed concern about lack of availability of spatial catch information throughout most of the year.	I&I NSW to ensure spatial catch information is available to allow sub-zone catch monitoring	At an interval to be agreed by I&I NSW and Industry	I&I NSW
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17.SUTS fishery	<p>Industry expressed concern that</p> <ul style="list-style-type: none"> <li>• There is lack of a formal consultative body or process for the SUTS with SUTs' endorsement holders.</li> <li>• While the MAC is not formally a Committee to deal with SUTS, a long standing relationship with the SUTS and abalone industries exists and many abalone shareholders retains SUTS endorsements;</li> <li>• The MAC has acted in that role for some time since that industry and abalone split as the two fisheries face similar issues.</li> </ul> <p>Despite significant issues facing the fishery industry, the majority of MAC members thinks it is appropriate for the MAC to consider and provide advice to the Minister on the SUTS fishery</p> <p>I&amp;I NSW stands by its position that MAC is not the Ministerial advisory committee for the SUTS fishery. The majority of active SUTS endorsement holders are not abalone endorsement holders and in the past these SUTS fishers have objected to the SUTS fishery being represented by that component of the industry who are also abalone endorsement holders.</p> <p>MAC expressed concern about recreational over fishing and illegal take of turban shells in the solitary islands marine park.</p>	<p>Chair to advise Minister of Industry's and conservation members' concerns on the future arrangements for the SUTS fishery</p> <p>I&amp;I NSW to pass on concerns regarding take of turban shell in Solitary Island Marine Park to MPA compliance staff</p>	<p>In the Chair report to Minister</p> <p>ASAP</p>	<p>Chair</p> <p>I&amp;INSW</p>
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18. Court Actions	Industry brought the MAC's attention to active action in the High Court about the Victorian Abalone fishery and it's possible implications for the NSW fishery.	Noted		
19. Committee Meeting Expenses Claims	<p>I&amp;I NSW advised that: -</p> <ul style="list-style-type: none"> <li>• A copy of expenses claims rules had been sent out to MAC members.</li> <li>• MAC and TAC meetings are covered, but all other meetings arrangements are by separate by agreement.</li> <li>•</li> <li>• The question of payment of fees for AbMAC members attendance at a Sydney meeting with the Administration Review consultants was raised, seeking confirmation of the arrangements and whether notification of such arrangements was given.</li> <li>•</li> </ul>	<p>Noted</p> <p>I&amp;I NSW to confirm arrangements re fees for meeting with Consultants.</p>	1 month	I&I NSW
20. Updates: SIAC Committee Representatives	<p>Jim Miller provided a report on SIAC issues, particularly the Commercial Fishing Trust and Marine Park buyout that were not addressed through the abalone MAC process.</p> <p>Jim Miller's current appointment ends in July 2010 Jim Miller and Steve Hunter agreed to seek appointment to SIAC. MAC confirmed support for the nominations.</p>	<p>Noted</p> <p>Minister to be advised MAC;s views on nominations</p>	In the Chair's report to Minister	<p>I&amp;I NSW</p> <p>Chair</p>

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21. Indigenous permits	<p>MAC sought advice on history of catch taken under permit, and details of these recent permits, including actual catch and size limits.</p> <p>.</p> <p>Industry representatives</p> <ul style="list-style-type: none"><li>expressed concern about access rights, with major increase in indigenous permits and catch in the last year, following significantly reduced commercial and recreational access; and</li><li>Industry requested urgent development and consultation with the MAC about a policy with guidelines for permit applications to enable clear guidance from the MAC about what would and would not be considered by the MAC as appropriate use of the permits</li></ul> <p>I&amp;INSW advised that the policy on indigenous permits was a component of a broader indigenous policy framework.</p>	<p>I&amp;I NSW to provide additional information on history of catch.</p> <p>I&amp;I NSW to progress permit aspects with industry.</p>	<p>For next meeting of Resource Management Committee</p> <p>2 months</p>	<p>I&amp;I NSW</p> <p>I&amp;I NSW</p>
22.Other Business – carried over from AbMAC meeting 18 April 2008	No issues were identified as requiring attention at this meeting.	Noted		

22. Chairperson's summary & next meeting date	<p>Other Business</p> <p>Industry raised the issue of involvement of the MAC Chair and Recreational representative in the ARPG process, and sought clarification of the process for management recommendations including ARPG, MAC and I&amp;I NSW, including an assurance that any recommendations from the ARPG are considered appropriately by the MAC before implementation.</p> <p>MAC agreed to holding the next meeting in October, 2010</p> <p>Report to Minister</p> <p>Chair thanked all attendees for the positive spirit and demonstrated intent to progress management of the fishery</p>	<p>I&amp;I NSW to clarify process for MAC's involvements in management of ARPG's recommendations.</p> <p>Noted</p> <p>Chair to write to Minister with Summary of meeting, and advice on key issues raised</p>	<p>1 Month</p> <p>In the Chair's report to Minister</p>	<p>I&amp;I NSW</p> <p>Chair</p>
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