

Abalone Management Advisory Committee Meeting
FINAL AGENDA
27 September 2007 (9:00 – 3:45)
Pambula Merimbula Golf Club
Arthur Kaine Drive, Pambula, NSW 2549

Attendees:

Warren	Martin	Chairperson
George	Chung	Industry
Dennis	Luobikis	Industry
Jim	Miller	Industry
Steven	Hunter	Industry
Garry	Warren	Industry
Dianna	Watkins	NSW DPI, Manager, Commercial Fisheries
Nathan	McNamara	Secretariat

Observers:

Doug	Ferrell	NSW DPI, Senior Scientific Officer
Nick	Schroder	NSW DPI, Compliance Investigator
Beverly	Koellner	Abalone Shareholder
Sasha	Woods	Commonwealth Department of Environment and Water Resource
Claire	Howlett	Commonwealth Department of Environment and Water Resource
David	Smythe	Abalone Shareholder
Donna	Smythe	Abalone Shareholder

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Agenda Items

1. Preliminaries a) Welcomes and Apologies b) Agreement on Agenda of 27-09-2007 c) Confirmation on final draft outcomes from previous meeting d) Matters that have been raised through the Courts or avenues such as the Ombudsman's Office or the ICAC	Page 3	Chairperson
2. Business arising from previous meetings a) Correspondence sent and received b) Action list	Page 4 - 7	Chairperson
3. Proposed agenda items	Pages 8 - 13	Industry
4. Special Abalone Recovery Group Update	Page 14	Chairperson / SARG Rep.
5. Updates a) Compliance b) Research c) Committee representatives	Page 14	DPI / Industry
6. Management Update	Pages 15 – 17	DPI
7. Proposed Regulation amendments	Pages 18 – 21	DPI / Industry
8. Wildlife Trade Operation Conditions	Page 22	DPI / DEWR
9. Abalone Fisheries Management Strategy	Pages 23 – 25	DPI / Industry
10. Update on Biosecurity Issues a) Marine Pests b) Ganglioneuritis update	Pages 26 – 27	DPI
11. Next Meeting	Page 27	Chairperson

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7. Proposed agenda items from AbMAC industry representatives sent on the 13 September 2007	Pages 50 – 55
8. Correspondence sent to AbMAC Industry representatives regarding the Marine Park buyout process	Pages 56 – 59
9. Correspondence sent to the AbMAC representative on JAWG regarding the latest copy of the updated budget	Page 60
10. Correspondence sent to AbMAC Industry representatives regarding the payment of sitting fees to Committee members	Pages 61 - 66

Agenda Item 1**Chairperson****Issue**

Preliminaries

Background**a)** Welcome and apologies.**b)** Agreement on the Agenda for this meeting**c)** Confirmation on final draft outcomes from previous meeting (Appendix 1)**Agenda Item 1 (d)****Chairperson****Issue**

Matters that have been raised through the Courts or avenues such as the Ombudsman's Office or the ICAC.

Background:

There is currently at least one matter relating to the abalone share management fishery subject to legal action.

DPI also understands that a number of matters have been raised with the Ombudsman's Office and ICAC in relation to the abalone share management fishery and associated administrative processes.

DPI is of the view that these matters should not be discussed and request that members respect this view.

Outcome

For noting

Agenda Item 2**Chairperson****Issue**

Business arising from previous meetings

Background**a)** Correspondence sent and received since the previous AbMAC meeting held on the 27 May 2005.

The AbMAC correspondence list is contained in Appendix 5.

The Out of Session agenda item list is contained in Appendix 6.

Outcomes

For information

Action Items List updated June 2007

Completed Action Items	Date Raised	Status
1. Chairperson to write to IFSWG regarding indigenous representation on ABMAC. <ul style="list-style-type: none"> • Cabinet approved the Minister's recommendation to appoint an Aboriginal representative to AbMAC on 21/3/06. The representative accepted the offer of membership on 22/5/06 and resigned on 22/8/06. Expressions of interested are welcome from any Indigenous person wishing to represent Indigenous people fishing for abalone in NSW. 	July 01	Ongoing. Note the aboriginal reference group is meeting in October 2007 and aboriginal representation on MACs is listed as an agenda item
2. John Smythe to provide NSW Fisheries with additional information regarding history of the abalone fishery for inclusion in future annual reports	February 03	Complete
3. NSW DPI to provide a more detailed breakdown of the draft budget. <ul style="list-style-type: none"> • Addressed in Agenda Item 1 of AbMAC Agenda of 27/5/2005 	March 05	Complete
4. NSW DPI to provide a budget that includes the internal costs associated with outsourcing research functions as well as a budget that includes providing those functions in house. <ul style="list-style-type: none"> • Tender for outsourcing abalone survey services finalised November 2005 	March 05	Complete
5. DPI to provide updated expenditure report to next MAC meeting. <ul style="list-style-type: none"> • The 2006-07 expenditure is attached in Appendix 3 	March 05	Complete
6. DPI to distribute letter re measuring abalone to industry members of MAC prior to mailing all shareholders, divers and crew. <ul style="list-style-type: none"> • Correspondence sent to shareholders on 3 June 2005 	March 05	Complete
7. Review EIS project budget and potential need for additional levy. <ul style="list-style-type: none"> • Discussed in the AbMAC meeting held on the 27 May 2005 	March 05	Complete
8. JAWG industry members are to refer to any potential requirement to expend funds above the level of existing approved budget to the MAC for consideration. <ul style="list-style-type: none"> • Budget estimates provided to JAWG representatives on 1 June 2007 by Management Planning 	March 05	Complete
9. JAWG is to request the Ecology Lab to prepare a revised work plan to meet the required timeframe. <ul style="list-style-type: none"> • Final Fishery Management Strategy for the NSW Abalone Share Management Fishery approved April 2007. AbMAC representatives were sent a copy of the FMS on the 15 August 2007. 	March 05	Complete

<p>10. DPI to provide the advice about the stage 2 conditions including the proposed monitoring of the productive abalone area at 'Moutries' Reef.</p> <ul style="list-style-type: none"> Document Titled: 'MUSSEL AQUACULTURE IN TWOFOLD BAY' Stage 1 Review Report and Determination of Progression to Stage 2, prepared in accordance with the Mussel Aquaculture in Twofold Bay Determination dated 1998. Dated 22 February 2005 available on NSW DPI Website: http://www.dpi.nsw.gov.au/__data/assets/pdf_file/115045/Twofold-Bay-Mussel-Development.pdf 	March 05	Complete
<p>11. Industry to provide DPI and MAC with the working papers associated with Industry's proposed budget for inclusion with draft minutes and consideration.</p> <ul style="list-style-type: none"> 'Industry Position Paper for Management Charge Budget' included with Draft Outcomes listed under Appendix 1. 	May 05	Complete
<p>12. Chairperson to advise Minister of the motion of no confidence in the nomination for a SIAC representative.</p> <ul style="list-style-type: none"> It was noted in the Chairpersons report of the 27 May 2005 AbMAC meeting to the Minister. 	May 05	Complete
13. JAWG to notify Industry of July 7th Open Day at Eden and time line for FMS/EIS	May 05	Complete
14. Industry to provide advice on their preferred strategy with regard to under and over spends	March 05	DPI has amended policy to provide for over and under spent of funds as per letter dated 23 November 2006, which was sent to all shareholders.
<p>15. DPI will seek advice regarding the implications of requiring a first aid certificate for registration of crew and will develop a proposal for an efficient registration process for presentation.</p> <ul style="list-style-type: none"> Clause 21 of the Fisheries Management (Abalone Share Management Plan) Regulation 2000 was repealed on 5 February 2007. 	March 05	Complete
<p>16. DPI to investigate including an investment warning on transfer documentation.</p> <ul style="list-style-type: none"> The 'Application for Approval of Transfer of Components of a Fishing Business' form is available from the NSW DPI website at www.dpi.nsw.gov.au. A warning has been included on the first page of this form. 	March 05	Complete
<p>17. DPI to provide final budget for 2005/06.</p> <ul style="list-style-type: none"> The Abalone Budget for the 2005/06 period was mailed to all shareholders on 6 April 2006. 	May 05	Complete

<p>18. DPI to provide a breakdown of the research expenditure</p> <ul style="list-style-type: none"> Expenditure of the 2004/05 budget was provided to all shareholders on 6 April 2006. 	May 05	Complete
<p>19. DPI to report back to MAC on streamlining the process for data collection, quota transfers and a card system for registered nominated divers.</p> <ul style="list-style-type: none"> An information paper was sent to all shareholders/nominated fishers in February 2007 in relation to the new share management arrangements. Explained in this paper were the new rules relating to the fishing business cards and nomination of fishers. Quota transfer forms are available on the website. Once complete by relevant parties and the forms sent to the Abalone Management, the forms will be processed accordingly. Management response 3.1(b) of the Abalone FMS requires for the DPI and shareholders to refine the delivery of specific management services including data collection and quota transfers. Actions to address this issue will be discussed in Agenda item 9. 	March 05	Complete
<p>20. ABMAC to be provided with a copy of the policy relating to payment of entitlements to staff that leave abalone related programs</p> <ul style="list-style-type: none"> When a member of staff leaves the department, any outstanding salary and leave payments are attributed to the relevant cost centre. Where a staff member accepts an offer of redundancy, all payments other than outstanding salary and leave entitlements are paid from Treasury funds 	March 05	Complete
<p>21. DPI Science and Research to contact Chairperson to resolve a number of MACs queries.</p> <ul style="list-style-type: none"> A breakdown of the expenditure for the 2006/07 fishing period, including research's expenditure is provided in Appendix 3 	May 05	Complete
<p>22. DPI to consider Industry's proposal to access region 1 (March 05 Industry to develop harvest strategy for region 1 for consideration by the Department that would lead to an improved stock assessment and take into account of the matters previously raised).</p> <ul style="list-style-type: none"> Letter mailed to all shareholders & endorsement holders 5/4/07 calling for expressions of interest to participate in Region 1 survey. In July 07, permits were first issued to approved endorsement holders to harvest abalone from Region 1 between Port Stephens and Wreck Bay under a research survey design. 	May 05	<p>Complete.</p> <p>An update on the current status of the Region 1 survey will be provided in Agenda item 5 b)</p>

23. NSW DPI to provide information on the level of abalone compliance activity on a regional basis.	March 05	Complete - Agenda Item 5 a) Compliance Update
24. DPI to provide advice on prosecutions by area in future reports where possible	March 05	Complete - Agenda Item 5 a) Compliance Update
25. DPI to provide to AbMAC with a snap shot of prosecutions for Region 1	May 05	Complete - Agenda Item 5 a) Compliance Update
26. DPI compliance report to include Industry prosecutions in their report.	May 05	Complete - Agenda Item 5 a) Compliance Update
27. DPI to supply copy of the policy on seizure and destruction of seized abalone. – already responded to in previous correspondence.	March 05	Complete - Sent to AbMAC Industry representatives on 3 June 2005.
28. DPI to conduct a survey with the aim of standardising bin weights. • Survey completed. Analysis of survey results is still underway.	March 05	In Progress
29. Jim Miller provides the MAC with monthly progress and expenditure reports on the EIS project out of session.	March 05	Incomplete. However EIS/FMS Project finalised.
30. Industry to consult with regard to the recommendation to rescind the Regulation to allow tendering of more SUTS endorsements.	March 05	Pending - noting that the SUTS fishery is not linked to abalone fishery
31. Chairperson to write to Director General, Primary Industries regarding a motion for a formal review of DPI oncosts and overheads and offer to meet with him.	May 05	Incomplete. Note however DPI reviewed the oncosts and overheads when preparing the 2007/08 management budget.
32. DPI to estimate the cost of conducting compliance on the commercial fishery only. • All abalone compliance operations indirectly affect the commercial fishery	May 05	Complete

Outcomes

Issue

Agenda items submitted by Industry Representatives

Background

A number of items were submitted by Mr Miller for inclusion on the agenda - refer appendix 7.

Many of these items relate to specific agenda items and will be discussed under those items. Where relevant, DPI advice is provided on issues.

Closure of Region 1 and 2

Update the science behind the closure of the northern part of Region 1 and Region 2, and the consultation and planning prior to implementation of the closure. Industry members are concerned by the lack of science behind closure of the northern part of Region 1, the problems with the assessment of Region 2, the lack of consultation about closure following the repeat of the TAC Committee's recommendation about catch and information from the area, and the lack of any plan for management of the area as intended in the FMS. Industry members will propose a motion to reopen the areas, within the 110 t TAC, to sustainable and structured commercial fishing and to provide information about stocks in the area. - Refer agenda item 5(b)

Update Marine Park buyout progress

Update progress and plans related to the buyout of abalone shares to compensate for Marine Park closures. Industry members request information about calculation within each subzone of the amount of shares for the buyout, including particularly provision of information used to estimate the areas of reef alienated. Further, they also request information about how Shareholders were selected for the buyout to ensure the removal of the appropriate amount of effort from subzones in the northern part of the Batemans Park. Industry members will propose a motion expressing concern at the inappropriate method for calculation and inappropriate number and distribution of shares in the buyout and that an independent process is need to review the decision.

DPI response

180 and 20 Abalone shares were removed from the fishery as a result of the implementation of the Batemans Bay and Port Stephens Marine Parks respectively.

Correspondence to the AbMAC dated 8 January 2007, 31 January 2007 and 15 May 2007 outline the process undertaken with regard to the buyout - refer appendix 8

TAC timetable and MAC input

Update progress and plans about the TAC Committee recommendation for MAC meetings to inform assessment and reporting process for TAC. Industry members do not believe this recommendation has been appropriately dealt with and will propose a motion to facilitate improvements for next year. Refer agenda item 11

Structural adjustment

Update progress and plans about the TAC Committee recommendation about structural adjustment, including consideration of options for a dive entitlement as requested at the March 2005 meeting of AbMAC. Industry members will propose a motion to request advice about and recommend the use of a separate class of shares to be associated with the entitlement to dive.

DPI response: The EIS process considered this issue. Management response 4.1(b) of the final approved FMS states that:

Manage the number of divers by implementing appropriate minimum shareholding limits, allowing greater competition among divers and providing for more flexibility for shareholders to adjust their individual shareholding.

Advice is sought from the MAC with regard to the appropriate minimum shareholding in response to this management response.

Finer scale management

Update progress and plans about the TAC Committee recommendations on finer scale management and catch monitoring. Industry members will propose a motion to support the process for Industry finer scale stock assessment, with catch targets and monitoring plan. - Refer agenda item 4

Variable size limits

Update progress and plans about the TAC Committee recommendation on variable size limits. Industry members have already requested a regulation to increase the size limit south of Wonboyn, with a clear process for Industry to reverse or extend size limit changes further, and an agreed process for prior reporting. Industry members will propose a motion to support this size limit increase in such a way. - Refer agenda item 4

Management Charges

Update expenditure report for 2005/06 and 2006/07 fishing periods. Industry members have repeatedly requested project/activity based budget and expenditure reports, as recommended by IPART, and will again propose a motion in support of this. Industry members request advice about calculation of the contribution of the budget on behalf of recreational and commercial sectors in the 2005/06, 2006/07 and 2007/08 budget, and why this amount was changed from that advised to the MAC on 19 April. Industry members have requested for some time reductions in service levels and more cost efficient management services, and will again propose a motion in support of this. Industry members will also propose a motion of support of a deed limiting total management and other costs to a fixed percentage of the GVP similar to other states abalone fishery. Industry members request a detailed project activity based budget for proposed Management Charges in 2007/08, and the current level of outstanding Management Charges.

DPI response: The 2005-06 expenditure report was forwarded to the AbMAC on 12 July 2006.

The 2006-07 expenditure report is at appendix 3.

As advised on 18 September 2007, the management charge for 2007-08 has been determined at \$168.40 per share. This includes a savings provided to industry of 6% for the benefit received by the recreational sector and a 6.6% saving in recognition of restricted access to the sanctuary zones within NSW marine parks. In 2007-08 the level of overheads attributed to industry was reduced from 27% to 24.5%. In addition, the department is continuing to bare compliance costs with only 2 Officers being levied to industry in recognition of the parlous state of the industry. The adjustments are consistent with the broad pricing principles recommended by IPART. As a result of the above savings, the charge in 2007/08 is approximately \$109 per share less than it would have been without these adjustments.

Recreational Catch

Update progress and plans about the TAC Committee recommendations to more accurately estimate the recreational catch and review bag limits and opening time.

DPI Response: The recreational bag limit for abalone in NSW was reduced from 10 to 2 on 1 July 2005. The Department is seeking support from the Advisory Council on Recreational Fishing to conduct a robust survey to identify the recreational abalone catch in NSW. Recreational management has an initial survey underway to identify people who take shellfish so that we can develop a subsequent targeted survey.

Economic Information

Update progress and plans about the TAC Committee recommendation that data and analysis on the structure, conduct and performance of industry be improved. Refer agenda item 6

SIAC representative

Industry members wrote to NSW DPI over a year ago with nomination of representatives for SIAC, and request an update on progress. Industry members will propose a motion to support nomination of representatives from ABMAC.

DPI Response: The nomination process for an abalone representative on SIAC is underway. The members of the AbMAC will be notified once the appointment is finalised. Note that Mr G Warren attended the last SIAC meeting as an observer.

EIS budget and FMS

Update progress on the FMS and the latest EIS budget, and any additional costs attributed to Industry.

DPI Response: The updated budget for the EIS/FMS process was emailed to the AbMAC representative on the Joint Abalone Working Group on 1 June 2007- refer Appendix 9.

Sitting fees and allowances

Update progress and plans on procedures for determining appropriate meetings for payment of sitting fees. Industry members will propose motions in support of payment for certain meetings if necessary

DPI Response - refer correspondence dated the 4 June and 5 July 2006 and the 13 April 2007 Appendix 10.

Industry Code of Practice

Funding from the DEET through the Fishing Industry Training Committee has allowed the development and consultation on an Abalone Council of NSW, Industry Code of Practice. Update progress on development and consultation on the Code of Practice, to be implemented by November in line with the FMS.

DPI response: This is an industry initiative. DPI is willing to assist with the process where appropriate.

Keniry report

Update on progress and plans on recommendations of the Keniry Taskforce report

DPI Response: A number of reports have been prepared that consider scientific, management, and compliance aspects of the abalone fishery, including those prepared by Mr Mick Palmer, Dr John Keniry, the Total Allowable Catch Setting and Review Committee, and the Abalone FMS. The Department is progressively developing and implementing consolidated responses to the findings and recommendations arising from these reports, within the context of the approved FMS.

SUTS management changes and REF

Update progress and plans on catches and management of the SUTS fishery and REF

DPI Response:

Background

The Regulation under the NSW Environmental Planning and Assessment Act 1979 (EP&A Act) was amended by the NSW Minister for Planning in September last year with the result that any 'non-designated fishing activities' (including SUTS fishing) (pursuant to a fisheries authority that is issued or renewed for 12 months or less) does not require formal environmental assessment under the EP&A Act to be completed before 31 December 2008.

A sustainability assessment is required under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) for approval to export product taken by the fishery.

In preparation for the approvals process, draft 'Management Arrangements' and 'Review of Environmental Factors (REF)' documents were distributed to MAC members for comment. At the time, some people highlighted likely errors in the data presented and requested that the draft documents be changed before being forwarded to the Commonwealth Government for public exhibition and assessment under the EPBC Act to be completed before 31 December 2008.

Current position

The data problems raised by members at the time were fixed and incorporated into revised draft documents which now need to be updated and forwarded to MAC members for final comment before they are sent to the Commonwealth Department of the Environment and Water Resources for exhibition and assessment. When finalised, the documents will also form the basis for the formal environmental assessment required under the EP&A Act post December 2008.

Table 1. Indicates the year to date (i.e. from 1 January to 18 September 2007) of recorded catches for the SUTS fishery by species.

Region	TACC Recommendation (kg) (Red Urchin Only)	Weight (kg) as of 18/09/07
Region 1 (A - F2) (Red Urchin)	8000	3511
Region 2 (F3 - L1) (Red Urchin)	28000	4372.25
Region 3 (L2 - N3) (Red Urchin)	13000	0
Region 4 (P1 - S1) (Red Urchin)	11000	11
Region 5 (S2 - Z5) (Red Urchin)	0	0
Red Urchin total		7894.25
Turban Shell Total		5773.2
Purple Urchin Total		17920.85

Prior Reporting proposal for size limit regulation

The TAC Committee and Industry has requested variable size limits enforced through an appropriate regulation. In supporting a regulated size limit increase, Industry proposed prior reporting through processors. Update progress and plans for prior reporting related to the variable size limit regulation, including any concerns with prior reporting through processors and detail to any alternative proposal. Industry members will propose a motion supporting prior reporting through processors. -

Refer agenda item 4

Compliance

Regional offences detected and prosecutions, including commercial operators
Update progress and plans about the TAC Committee recommendations about management and estimation of illegal catches. ABMAC has requested for some time, and it is an action item from the previous 2 MACs, a report on the number of offences detected and successful prosecutions in each region of the fishery, and for commercial abalone, other commercial and non-commercial sectors. Industry members will again propose a motion that this is reported to all MAC meetings. Refer

agenda item 5 (a)

Time/resources for compliance in the commercial fishery

ABMAC has requested for some time, and it is an action item from the previous 2 MACs, a detailed estimate, including a breakdown by each activity/project, of the time and resources required to manage compliance of the commercial abalone fishery, and a comparison to the lobster fishery. This should include description of the number of inspections of commercial diver's boats/catches within each Region.

Refer agenda item 5 (a)

Prior reporting proposal for size limit regulation

The TAC Committee and Industry has requested variable size limits enforced through an appropriate regulation. In supporting a regulated size limit increase, Industry proposed prior reporting through processors. Update progress and plans for prior reporting related to the variable size limit regulation, including any concerns with prior reporting through processors and detail to any alternative proposal. Industry members will propose a motion supporting prior reporting through processors. Refer

agenda item 4

Greater penalties and resourcing for theft.

*Update progress and plans about the TAC Committee recommendations for greater penalties, particularly as an indictable offence for specific commercial quantities, and greater resourcing for theft. Industry members will propose a motion supporting the need for greater penalties, particularly as an indictable offence, and greater resourcing for theft. **Refer agenda item 5 (a)***

Research

Explanation for budget and expenditure

*The research component of the budget involves staff and operating, but it is not clear what activities/projects are budgeted for or where the budget is spent. Update progress and plans of expenditure on the research budget, including action items from the last 2 MACs about expenditure in past years by activity/project. Industry members will propose a motion supporting the need for budgeting by activity/project, and agreement on activities/projects being cost-efficient or necessary, as suggested by IPART. **Refer agenda item 5(b)***

Region 1

*Update progress and plans for the survey in Region 1. Industry members will propose a motion supporting the need for a timetable to consider results of the survey with the TAC Committee and future management of Region 1. This will also refer to the development by Industry and DPI of a proposal for an urgent structured fishing survey in the northern part of Region 1. **Refer agenda 5(b)***

Region 2

*Update progress and plans about the TAC Committee recommendation for Region 2. Industry members will propose a motion supporting the finer scale assessment and proposal for finer scale catch targets and monitoring of catches, and the development of a proposal by Industry and DPI for an urgent structured fishing survey in Region 1. **Refer agenda item 4***

Stock assessment for TAC

*Update progress and plans about the independent survey, particularly with respect to concerns of representivity, such as in Region 2. Update progress and plans over how the stock assessment model is behaving (i.e. retrospective analyses as requested by the TAC Committee) and being used (i.e. management targets decided by the TAC Committee), particularly with respect to concerns expressed by Industry members. Industry members will propose a motion not to proceed with survey or model this coming year, and for it to be replaced with a more cost-efficient and representative assessment from structured commercial fishing surveys in selected areas. This will also refer to the development by Industry of the use of GPS and depth loggers in the fishery. **Refer agenda item 4***

Perkinsus report

*Update progress and plans on the Perkinsus report. **Refer agenda item 5 (b)***

National disease survey report

*Update progress and plans on the National disease survey report. **Refer agenda item 10***

Agenda Item 4**Chairperson/SARG Representative****Issue**

An update on the Special Abalone Recovery Group (SARG)

Background

The Minister has formed a Special Abalone Recovery Group to address the matters detailed below. The group consists of: Mr Warren Martin (CHAIR), Mr Ian Cartwright, Mr Garry Warren, Mr John Smythe, and Dr Steve Kennelly, NSW DPI Chief Scientist.

1. Endorse the current methodology for undertaking the stock assessment for the fishery or recommend any necessary improvements with regard to:
 - retaining the 1994 biomass target or adopting a specified alternative, and
 - whether or not to proceed further in the development of finer scale management of the fishery, including any alternative monitoring and assessment methodologies and industry involvement.
2. Endorse the current minimum legal size limit for abalone or adopting a specified alternative limit(s).
3. Specifying any other priority actions to rebuild and maintain the sustainability of the abalone fishery into the future, having regard to the objectives of the Fisheries Management Act 1994 and the matters identified in the TAC Committee's Report, the approved Fishery Management Strategy and the export approval issued by the Commonwealth Government.

A science forum was also approved by the Minister and will be held on the day prior to the MAC meeting. This forum will provide an opportunity for the SARG to discuss the above issues.

A verbal update will be provided by a member/s of the SARG

Outcomes:

For discussion

Agenda Item 5**Chairperson / NSW DPI / Industry****Issue**

Compliance, Research and Industry Representative Updates

Background**a) Compliance Update:**

A verbal update will be provided to the members of the AbMAC highlighting activity and compliance rate of both commercial and recreational abalone fishers.

b) Research Update:

Permits issued under section 37 of the Act have been issued to interested applicants endorsed in the abalone fishery since July 2007, to harvest abalone from Region 1 (between Port Stephens and Wreck Bay) under scientific observation. A verbal update on the region 1 survey and the Perkinsus report will be provided to the Committee.

c) Committee Representatives Update:

AbMAC representatives will have the opportunity to provide a verbal update on the abalone fishery.

Outcomes

Issue

Management Update

2007-08 Work program

NSW DPI has a statutory responsibility to ensure that the fishery is operating consistently with the Act, the Plan and FMS. The role of the commercial management unit is to develop, implement and review strategies for the sustainable and equitable use of the NSW abalone resource. This includes monitoring the objectives, performance indicators and trigger points of the Abalone Share Management Plan and to examine performance against effective and cost efficient management in the abalone fishery.

Specific management projects identified for the 2007/08 fishing period are identified, but not limited too, those detailed in the table below.

Milestone	Target Date
Regulatory Changes	March 2008
Amend objective, performance indicators and triggers for review to achieve consistency with the Abalone FMS and other share management plans.	March 2008
Consequential amendments to the Plan following the implementation of the new share management arrangements for fisheries management in NSW.	March 2008
Remove barriers to structural adjustment by: - increasing the maximum shareholding in the fishery - increase the flexibility of transferring shares between shareholders - simplify the administrative process associated with the transfer of shares - simplify quota transfers	March 2008
Management/Administrative services	
Allocation of quota to shareholders for 2007/08 fishing period.	July 2007
Submission of final 2006/07 expenditure report to the AbMAC	Sept 2007
Submission of management report to the TAC committee.	April 2008
Explore feasibility of implementing different size limits on a variety of spatial scales.	June 2008
Facilitate implementation of Abalone Fishery Code of Practice	June 2008
Manage a transparent budget setting process including consultation with AbMAC Draft 2008-09 budget to the AbMAC from consideration	July 2008 April 2008
Maintain and manage effective communication consultation and operation of the AbMAC including the appointment process for chairperson and other vacant positions.	Ongoing
Monitor budget and prepare quarterly expenditure reports	Ongoing
Respond to shareholder and other stakeholder enquiries	Ongoing
Ongoing data entry, quota reconciliation and maintenance of the catch database.	Ongoing
Provision of monthly updates on catch statistics to industry.	Ongoing
Continued policy development and review of management arrangements	Ongoing
Prepare advisory information and updates, i.e. Regional Industry Convenor newsletter.	Ongoing
Undertake to arrange at least two Abalone Management Advisory Committee meetings annually	Ongoing

Management charges/expenditure

The 2007/08 management budget and the 2006/07 expenditure report is provided in appendices 2 and 3 respectively. The underspent 2006/07 funds have been credited to the 2007/08 management charge.

The below table indicates management's budget for the 2007/08 fishing period.

Abalone Share Management Fishery Budget 2007 / 2008			
Management	Fisheries Manager 6/8 (50%)	\$ 38,447.85	
	Fisheries Management Officer 3/4	\$ 56,701.01	
	Total Salaries	\$ 95,148.86	
	Oncosts (24.5%)	\$ 23,311.47	
	Overheads (48%)	\$ 45,671.45	
	Total Salaries+oncosts+o./heads	\$ 164,131.78	
	Travel - Other	\$ 3,000.00	Port Meetings and Field Trips
	Freight, Cartage and Postage	\$ 1,500.00	Mailouts, quota notices, logbooks (including express post)
	Telephone - Mobile	\$ 250.00	\$20 X 12 Months
	Printing - General	\$ 3,000.00	Logbooks may require amendment and re-printing due to Regulation changes
	IT lease	\$ 1,000.00	1.5 X 12 (\$28.40 + \$41.49)
	Fees General	\$ 3,000.00	Update/ purchase of new computer and programs,MAC elections
	Stores - Consumables	\$ 500.00	Stationary
Rewards	\$ 10,000.00	Rewards payable for information leading to an abalone conviction	
Total Operating	\$ 22,250.00		
MAC	Sitting Fees	\$ 6,000.00	2 X MAC meetings X 1 Chairperson (\$342) and 8 Representatives (\$207)
	Fees General	\$ 1,500.00	Catering/incidental meeting expenses
	Travel	\$ 8,500.00	flights and accomodation
	Travel - MV Employee Expenses	\$ 1,000.00	personal car use
	Total Operating	\$ 17,000.00	
	Total Expenses	\$ 203,381.78	
	Department Contribution (Savings)	-\$ 58,308.03	
	Total Industry Contribution*	\$ 145,074	
*Recreational and Marine Park subsidy of 12.6% provided			

Economic productivity

An 'Economic productivity and business analysis for the NSW Abalone Share Management fishery is currently underway.

The study will be conducted in two stages with progression to Stage 2 being dependent on NSW DPI's review of the findings of the first stage and subsequent direction.

Stage 1

- assess the potential of the NSW abalone fishery to achieve greater economic productivity for shareholders, other industry entities and the broader community, using the current arrangements as a comparative baseline;
- identify any major existing factors (both industry and government) that are likely to be impeding the realisation of any such potential economic productivity;
- identify broad options to realise any such potential economic productivity, including alternative private or public governance arrangements (eg. a single abalone harvesting company); and
- quantify the likely magnitude of the potential greater economic productivity for each option.

Stage 2

- develop a detailed business model with respect to a selected preferred option, including a description of the option (eg including governance arrangements), an analysis of risks (to both shareholders and the NSW Government) and risk mitigation strategies, and any necessary transitional arrangements;
- identify any major existing or potential factors (both industry and government) that are likely to impede the adoption of the preferred model; and
- advise on the public policy and governance arrangements necessary to implement the preferred model, if different to the current arrangements.

Acil Tasman Economic Consultants have been engaged by NSW DPI to undertake this study.

Outcomes

For discussion

Issue

Proposed Regulation amendments relating to Abalone Fishery

Background

A number of regulation amendments relating to the Abalone Share Management Fishery Plan to achieve outcomes specified in the Fishery Management Strategy and to achieve consistency with other share management fisheries and recent licensing reforms are proposed.

- Proposed amendments to Clause 2 Definitions

Include definitions consistent with those included in other share management plans. For example, Clause 39A adopts part of the Fisheries Management Supporting Plan set out in the *Fisheries Management (Supporting Plan) Regulation 2006*, and it is desirable to include a definition within the Abalone SMP. For example '**Supporting Plan** means the *Fisheries Management Supporting Plan* as set out in the Appendix to the *Fisheries Management (Supporting Plan) Regulation 2006*.'

- Proposed amendments to Clause 3 Objectives, performance indicators and triggers for review

To achieve consistency with the Abalone FMS and other new share management plans it is proposed to amend the Table to Clause 3 of the Abalone SMP by replacing the objectives, performance indicators and triggers for review. A table of proposed objectives, performance indicators and triggers for review is set out below for discussion, noting that some may require amendment following recommendation of the SARG.

OBJECTIVE 1. Contribute, in conjunction with other fishing regulatory controls (as defined in section 7A of the Act), to managing the impacts of the fishery on the environment and to ensure ecologically sustainable development

Performance indicator	Trigger point
Commercial fishing practices for abalone do not have an adverse environmental impact on the broader ecosystem	Research conducted by or on behalf of the Department of Primary Industries indicates that commercial fishing for abalone is having an adverse environmental impact on the broader ecosystem
Biomass of mature and exploitable abalone	The biomass of mature or legal sized abalone: (a) falls below the 1994 benchmark by more than 15%, or (b) there is > 50% chance of (a) occurring in the next 5 years if the TACC is unchanged. <i>Please note that the Abalone Recovery Group has been formed and will be reviewing the adequacy of this performance indicator</i>
Catch at regional and smaller spatial scales compared to any recommendations of the TAC Committee	Catches exceed the levels recommended by the TAC Committee for two consecutive years.
No interactions between the fishery and threatened species, population or ecological community which may	Any interactions between the fishery and a threatened species, population or ecological community that are likely to threaten the survival of

threaten the survival of a threatened species, population or ecological community.	that threatened species, population or ecological community, as determined by the Director-General on advice from relevant threatened species experts.
No interactions between the fishery and protected species which may threaten the survival of protected species.	On a biennial review undertaken by the Department on interactions between the fishery and a protected species (reported by endorsement holders in the fishery or observed during an observer survey) finds that the fishery is likely to threaten the survival of that protected species, as determined by the Director-General on advice from relevant threatened species experts.

OBJECTIVE 2. Contribute, in conjunction with other fishing regulatory controls (as defined in section 7A of the Act), to promoting viable commercial fishing.

Performance indicator	Trigger point
There are net returns to the fishery.	The Director-General is satisfied that the gross value of production of the fishery has not exceeded the sum of indicative industry operational costs and government management costs relevant to the fishery for 3 consecutive years.

- Proposed amendments to Clause 6 Maximum shareholding

It is proposed to amend Clause 6 to set a maximum shareholding in the fishery at 40% of the shares originally issued in the fishery consistent with the intent of section 72 (2) of the *Fisheries Management Act 1994*, which states:

If no maximum shareholding is fixed in the plan, the maximum shareholding is 5% of the number of shares in the fishery at the commencement of the plan.

- Proposed amendments to Clause 7 Dealings in shares—general

As required under the FMS, it is proposed to increase the flexibility of share transfers between shareholders by amending Clause 7 to allow the trading of small numbers of shares, including single shares. The ability to trade 1 or more shares will only be applicable where the shareholder selling the shares retains 10 or more shares after the transaction and the buyer already holds a minimum of 10 shares before the transaction. In other situations the minimum package of shares that can be bought or sold should continue to be 10.

- Proposed amendments to Clause 8 Special provisions relating to transfers

To simplify the administrative processes associated with the transfer of shares and provide shareholders increased flexibility in trading shares and quota it is proposed to amend Clause 8 (3) of the *Abalone SMP*. The *Abalone SMP* should only require the transfer of unused quota with shares if the shareholder is transferring all shares and is not retaining shares in the fishery. Where the shareholder retains some shares in the fishery they should be able to retain the quota or transfer it to another shareholder in accordance with Clause 18 of the *Abalone SMP*.

- Proposed amendments to Clause 10 Nominated fishers

It is proposed to amend Clause 10 of the *Abalone SMP* to specify that in addition to the current requirements that prevent a person being nominated, a person may not be listed as an “eligible fisher” if the conditions set out in the clause are applicable.

- Proposed amendments to Clause 13 Nominated fisher to notify shareholder of alleged offence

It is proposed to delete this requirement as it is rarely used and appears to be a matter for the parties involved in an employer /employee relationship. If retaining this clause it should be amended to read "within 24 hours of being apprehended for an offence" as the charge may not occur until some time later

- Proposed amendments to Clause 15 Determination of quota

It is proposed to remove the requirement in Clause 15(5) for the Director General to notify nominated fishers of the quota available with respect to a shareholding. Shareholders would be responsible for notifying their nominated fishers.

- Proposed amendments to Clause 18 Transfer of quota

It is proposed to remove the limitation on aggregation of quota as far as possible within the constraints of the intent of Section 79 (2)(a) of the *Act*.

Subject to the management plan:

2(a) A shareholder may not acquire by any such transfer more than twice the amount of the shareholders actual allocation

- Proposed amendments to Clause 22 Limited use of unauthorised crew

It is proposed to amend this clause to allow holders of both Class 1 and 3 licenses to act as crew in the abalone fishery.

Proposed amendments to Clause 33 Monthly reconciliation

It is necessary to update the provisions of this plan to cater for new flexible nomination provisions. Under the new licensing provisions it is conceivable that an "endorsement holder" may have worked for several shareholders in a month or that a shareholder may have employed several nominated fishers over a month. It is desirable that this occurs without requiring the logbooks be reissued with each change.

It is proposed to amend Clause 33 to allow for a system where reconciliation books are issued for the use of the shareholder. Similar to the requirement in Clause 290B of the General Regulation it is proposed to require that a shareholder (or a person nominated by the shareholder to complete the reconciliation on their behalf) be required to complete the monthly reconciliation.

Provision for shareholders to nominate a third party to keep their records is desirable as shareholders may not be a natural person or may not be involved in the day to day running of the business. Nominated persons should however be subject to similar requirements and penalties as would be applicable to the shareholder under Section 122 of the Act.

It may be necessary to include provision to allow shareholders to change nomination of the person who will complete the reconciliation and transfer the reconciliation book to a new person. This would require that the outgoing person completes the relevant portions of a reconciliation book, prior to handing the books across.

Provision to require that endorsement holders supply the nominated record keeper with the information necessary to complete the reconciliation may be required, similar to provisions within Section 122(5) of the Act which already require that the information be supplied to the "Fishing Employer".

- Proposed New Clause under part 6 - Records to be made by commercial fishers

It is proposed to insert a new clause under Part 6 'Provisions relating to crew, boats, records and other matters' of the Plan, outlining the daily reporting arrangements for abalone fishers. Currently, clause 290A of the *Fisheries Management (General) Regulation 2002* governs the requirements for abalone nominated fishers to make a prescribed record of fishing activities within a relevant fishing period, that is a day.

It is proposed to amalgamate the relevant requirements relating to the abalone fishery under clause 290A of the FM(G) Regulation into the Abalone SMP.

- Proposed New Clause – Sorting of undersize abalone

It is currently an endorsement condition that an endorsement holder "Not have in his/her possession any prohibited size abalone in or on any water other than 10 prohibited size abalone which may be in possession on the licensed fishing boat while abalone diving operations are underway. All undersized abalone must be returned to the seabed by hand before the end of diving day."

The intent of this condition is to allow undersize abalone onboard the vessel as part of the measuring and sorting process. It would be expected that the diver would then return any undersize individuals to the water, near where they were taken.

This condition will be placed in the management plan as opposed to appearing on the Fishing Business Card.

- Proposed New Clause – Taking species other than abalone.

It is currently an endorsement condition that an endorsement holder "Unless otherwise endorsed to do so, the endorsement holder must not, while using any apparatus to facilitate breathing underwater take any fish other than abalone or be in possession of any such fish while in possession of any such apparatus in, on or adjacent to any waters or while such apparatus is in, on or attached to any boat being used by the endorsement holder." The intent of this condition is to prevent endorsement holders retaining other species.

This condition will be placed in the management plan as opposed to appearing on the Fishing Business Card.

Outcomes

For information

Issue

Actions required for industry to maintain its export approval and comply with the requirements of its Wildlife Trade Operation authorisation.

Background

The Commonwealth Government has imposed a number of conditions in its Wildlife Trade Operation (WTO) for the NSW abalone share management fishery. Failure to comply with these conditions would mean that export approval would be terminated. The required conditions (Appendix 4) are:

1. Operation of the fishery will be carried out in accordance with the *NSW Fisheries Management (Abalone Share Management Plan) Regulation 2000* in force under the *NSW Fisheries Management Act 1994*.
2. NSW DPI to advise the DEH of any material change to the NSW Abalone Fishery management arrangements that could negatively affect the assessment of the fishery against the *Environment Protection and Biodiversity Conservation Act 1999* criteria, within three months of that change being made.
3. A report to be produced and presented to DEH annually, and to include:
 - a) information sufficient to allow assessment of the progress of NSW DPI, in conjunction with industry and other stakeholders, in implementing the conditions and recommendation made;
 - b) the status of the Abalone Fishery performance indicators compared to the trigger points
- 4) The FMS for the NSW Abalone Fishery to be finalised and approved by the end of April 2007
- 5) The NSW DPI, in conjunction with NSW Abalone Fishery stakeholders, to develop and implement within 12 months an agreed recovery strategy for abalone stocks across the fishery that defines the following:
 - precautionary recovery targets and associated timeframes;
 - specific measures to promote the rebuilding of stocks to target levels; and
 - stock and catch monitoring and compliance measures required to evaluate and enforce the recovery of depleted stocks.

NSW DPI has indicated to the Commonwealth department that it would be willing to explore ways that NSW might be able to adopt the Commonwealth's specific recovery requirements once these are known, as part of the State arrangements for the management of the fishery. Note that the Commonwealth cannot compel NSW to implement its requirements, but the Commonwealth can make binding requirements on industry.

Representatives of Dept of the Environment and Water Resources will also attend the meeting to discuss this approval and explain the revised Guidelines for the Ecologically Sustainable Management of Fisheries and the reporting and information requirements under the new agreed process. The reassessment guidelines may be found at (<http://www.environment.gov.au/coasts/fisheries/publications/pubs/guidelines.pdf>).

Outcomes

For information and discussion about how to progress these matters.

Agenda Item 9**NSW DPI and Committee****Issue**

The Abalone Fisheries Management Strategy (FMS)

Background

As required under the NSW *Environmental Planning and Assessment Act 1979*, an Environmental Impact Statement (EIS) was prepared in 2005, covering abalone fishing activities. In conjunction with the EIS, a draft Fishery Management Strategy (FMS) was prepared outlining a series of goals, objectives and strategies for achieving the objectives as well as performance indicators and associated monitoring programs. The Final FMS was approved in April 2007. The EIS addressed the assessment requirements for export approval under the Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999*.

The FMS identifies target timeframes for implementation of individual management responses. The management responses listed in the table below have a short implementation timeframe and require prioritisation to ensure completion using the available resources.

Goal 1: Manage commercial harvesting of abalone to promote the conservation of biological diversity in the coastal environment				
OBJECTIVES	MANAGEMENT RESPONSES	CONTRIBUTE TO GOALS	TIMEFRAME	RESPONSIBILITY
1.1 Increase knowledge and minimise any adverse impacts of harvesting abalone on bycatch species, associated habitats and ecosystems.	b) Develop and implement a NSW Abalone Fishery Code of Practice to minimise the impact of harvesting abalone on bycatch species, associated habitats and ecosystems.	1, 2, 5, 6	Short term	Shareholders (agenda item 3)
Goal 2: Maintain or rebuild the biomass of abalone to ensure stock sustainability				
2.1 To maintain or increase the spawning and exploitable biomass of abalone.	b) Refine the existing harvest strategy for the fishery and implement a definitive recovery strategy for the abalone resource.	1, 2, 4, 5, 8	Short term and then ongoing	Shareholders; NSW DPI (agenda item 3)

2.2. To improve the efficiency of harvesting and investigate the potential of techniques to rebuild populations of abalone.	c) Develop and implement a framework for closing and re-opening areas to commercial abalone harvesting.	1, 2, 4, 6	Short term and then ongoing	Shareholders; NSW DPI (agenda item 3)
2.3. To address impacts from factors external to the commercial Abalone Fishery.	a) Develop strategies and practices to minimise the affects of <i>Perkinsus</i> and other marine pests and diseases with potential to affect abalone, and implement in consultation with ABMAC any measures required in accordance with marine pest or disease management plans..	1, 2, 4, 6, 8	Short term and ongoing	Shareholders; NSW DPI (agenda item 7)
Goal 3: Facilitate effective management arrangements and provision of an efficient fisheries management service				
3.1 To facilitate the delivery of effective and efficient management services.	b) Continue to refine the delivery of specific management services and standards through service delivery agreements or outsourcing regarding research, administration and compliance.	1, 2, 3, 4, 6, 7, 8	Short term and then ongoing	NSW DPI; Shareholders
	f) Communicate NSW DPI's operational plans and policies for the management of the fishery to all fishery participants.	3, 7, 8	Short term and then ongoing	NSW DPI (agenda item 8)
Goal 4: To promote the economic viability of the fishery				
4.1 To promote the long term economic viability of commercial abalone fishing.	d) Revise the minimum level for trading abalone shares, so that shareholders with 10 or more shares can trade any number of shares, including single shares, but their overall holding must remain at 10 or more shares.	4, 5	Short term	NSW DPI (agenda item 7)
	e) Remove the shareholding aggregation limit.	4, 5	Short term	NSW DPI (agenda item 7)
Goal 7: Achieve a high level of compliance within the Abalone Fishery				
7.1 Promote a high level of compliance in the fishery.	b) Develop a cost-effective system for divers to report the planned location of their fishing activity.	2, 4, 5, 7	Short term	Shareholders; NSW DPI
	d) Extend the fit and proper persons requirements applicable to abalone crew to abalone divers, shareholders and receivers.	1, 2, 4, 5, 7, 8	Short term	NSW DPI; Shareholders (agenda item 7)

7.2 To continue to minimise the illegal catch of abalone.	a) Design and implement an industry communication program to assist in preventing illegal catch.	2, 5, 7	Medium term and ongoing	Shareholders
	b) Examine the costs and benefits of increasing effective enforcement to reduce illegal catch and assist in maintaining the fishery biomass relative to other stock rebuilding measures.	2, 4, 7	Medium term and then ongoing	Shareholders NSW DPI
	c) Continue implementation of the National Docketing System for abalone product in consultation with ABMAC and abalone processors.	2, 3, 4, 7	Ongoing	NSW DPI

For Discussion

Issue

Biosecurity issues

a) Marine Pests

Background

Marine pests are plants or animals, usually introduced from overseas, that have a significant impact on our marine industries and environment. They can include mussels, crabs, seaweeds, sea stars and other marine species. However, not all marine pests are from outside Australia. Some are native to other regions of our country and have been transported into NSW.

Marine pests have been introduced to and moved around Australia by a variety of human-induced means. These include ballast water and sediments, biofouling (marine organisms that attach to objects immersed in salt water), aquaculture operations and aquarium imports.

How could marine pests affect the commercial fishing industry?

Marine pests can cause considerable economic damage and environmental impacts. These impacts can be felt by marine industries such as commercial fishing. For example, in Tasmania shellfish farmers and fishers have been affected by the introduced Northern Pacific seastar, a voracious predator which consumes a range of shellfish. Other pests may entangle in boat anchors, fishing nets and trawling gear leading to increased catch sorting times and reduced efficiency. In NSW, some areas have been closed to netting due to the presence of the invasive green seaweed *Caulerpa taxifolia*.

Significant marine pests in NSW

Significant marine plant and animal pests already established in NSW include:

- Aquarium Caulerpa (*Caulerpa taxifolia*)
- European/ Green shore crab
- New Zealand screw shell and
- European fan worm

There are other introduced species which have become established in marine waters outside of NSW, and are considered a potential threat to our marine biodiversity and fishing industry if transported here. These include the Northern Pacific seastar, Japanese seaweed / wakame, European clam and Asian green mussel.

What is the government doing?

In order to protect industry and the environment, NSW Department of Primary Industries is working collaboratively with the Australian Government and other state and territory governments to implement a National System for the Prevention and Management of Marine Pest Incursions.

The National System has three major components:

1. Prevent the introduction and movement of marine pests within Australian waters
2. Provide a coordinated emergency response to new incursions and translocations and
3. Manage and control marine pests already in Australia

A communications program is part of the National System. This program will focus on raising community awareness on marine pests and what different industries can do to help protect themselves from marine pests.

How can industry protect itself?

Many operators are ahead of the game and already take actions which help prevent the spread of marine pests. However, we'd like to encourage operators in your fishery to learn and practice what extra they can do to protect their livelihood.

Please encourage operators to:

1. Learn and follow the best practice guidelines to protect your fishery from invasive marine pests.
2. Learn how to recognise marine pests and report sightings.

These actions will assist in preventing a major marine pest incursion which could affect your fishery.

b) Ganglioneuritis Update

The recently found Herpes like virus, Ganglioneuritis, has significantly affected localised abalone stocks in Victoria. Reports have indicated there is a 90% mortality rates in known areas with this disease. The Victorian government has implemented a temporary closure to attempt to contain the disease. It is believed that the disease spread naturally (through environmental conditions), however the spread maybe enhanced by waterway users (divers, surfers etc).

It is important for both industry and the NSW DPI to develop strategies and practices to minimise the affects of the above disease and any future diseases that may threaten NSW abalone stocks. The developed strategies could include options for opening and closing fishing grounds (as listed under management response 2.2 (c)) and developing hygiene protocols for standard operating procedures to prevent likelihood of spreading such a disease.

The Aquatic Biosecurity section of the NSW DPI has developed a proposed outline for sampling of *Ganglioneuritis* in NSW. The outline of this project was sent to all AbMAC representatives on 28 August 2007.

Currently, there is no clinical evidence of this virus occurring in NSW. Sampling will be undertaken to establish a baseline of current conditions, the knowledge of which could be useful in the management of any potential outbreaks. This project is being fully funded by the NSW Government.

A copy of this project is available from the NSW DPI upon request.

Outcomes

Agenda Item 11

Chairperson

Issue

Chairperson summary and next meeting date

Background

The Total Allowable Catch Setting and Review Committee is considering meeting schedules in relation to their determinations for 2008-09. An AbMAC meeting will be scheduled approximately a fortnight prior to the TAC Committees meeting.

Outcomes

ABMAC 25 MAY 2005 –DRAFT MINUTES

Number	Agenda Item	Outcome	Time Line	Responsibility	Action Item
	Welcome and Apologies	Meeting commenced 9.40am The Chairperson welcomed all members and noted the apology from Mel Brown (Recreational representative) The Chairperson outlined the new format for recording outcomes			
	Agreement on Agenda	Additional Items include: Illegal activity, Report on abalone convention. It was noted there is no agenda item 4. Finishing time 4:00pm.		George Chung	
	Confirmation of draft minutes 18 March 2005	The Chairperson advised he had considered the 17 pages of suggested amendments and had ensured the intent of the outcome was documented. Amendments requested by Dennis Luobikis and additional action items as identified by the Chairperson have been incorporated. The Chairperson advised that the draft minutes will stand as per his determination and he reflected in previous comments with regard to process. He advised that his report to the Minister highlights challenges faced by the committee with regard to accepting minutes and includes all of the action points arising. The Chairperson also advised that the minutes from 2003 meeting were also sent to the Minister including industry's comments. The Chairperson advised as he has been			

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		<p>appointed Chairperson of the Seafood Industry Advisory Council (SIAC) he will be stepping down as Chairperson.</p> <p>It is anticipated that the next MAC meeting will be held in July following an Industry meeting re the EIS/FMS.</p> <p>Jim Miller moved that the draft minutes be rejected, second by George Chung. 4-for, 3-against.</p> <p>The Chairperson noted the disagreement and suggested that the meeting move forward.</p> <p>It was noted that a meeting with the Minister may be possible the week of June 20.</p>			
	Business arising correspondence and action items	<p>Industry members were advised they are covered by insurance when on MAC business.</p> <p>Out of Session item proposed through the Chairperson regarding Abalone size and measurement will be considered under management issues.</p> <p>NCC advised that they have sent a letter to the Minister regarding payment of the Community Contribution.</p> <p>Many of the actions items will be dealt with under specific agenda item</p>			
1	Budget 2005-06	<p>DPI provided an amended draft budget.</p> <p>Industry provided an alternative draft budget that provided for reduced staffing</p> <p>It was noted that the formation of DPI was in part to ensure efficient government</p>	Immediate		

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		<p>operations and delivery of services. The MAC believes that a formal review of departmental overheads and oncosts is therefore warranted. The MAC requests a formal review into oncosts and overheads specifically as they relate to commercial fisheries and the abalone industry be considered as part of this review. Moved Jim Miller, second by George Chung. Moved</p> <p>The MAC was advised the saving for recreational beneficiaries was increased from 4 to 14% based on previous industry advice. This figure will however be kept under review.</p>	3 June	<p>Industry</p> <p>Chairperson</p>	<p>Provide DPI and MAC with the working papers associated with Industries proposed budget for inclusion with draft minutes and consideration.</p> <p>Write to Director General, Primary Industries per motion and offer to meet with him.</p> <p>A recommendation on a final budget for 2005-06 is pending the determination of the TACC, advice re the departmental review into on costs and overheads, the outsourcing process and advice re defrayment of departmental staff costs.</p>
2	Expenditure	<p>The Chairperson recommended that the following detail be added to the expenditure report;</p> <ul style="list-style-type: none"> - budget to date - variation to budget projection to budget 	<p>ASAP</p> <p>ASAP</p>	<p>Science and Research</p> <p>Science and Research</p>	<p>Provide a breakdown of the research expenditure.</p> <p>Any savings to be used to fund the feasibility study into a hatchery in Eden.</p> <p>Science and Research to contact Chairperson to resolve a number of MACs queries.</p>

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3.	Region 1	<p>Industry strongly stresses the importance of Region 1 for the Fishery. After a lengthy discussion the MAC will await the outcome of the <i>Perkinsus</i> survey and TACC deliberations due in early June and advice on their proposal.</p> <p>Industry members were asked if divers would be prepared to participate in some form of scientific study if commercial harvest was not permitted ie just to count and measure abalone as opposed to harvesting– the overall feeling was that it would not be viable and commercial harvest should be permitted.</p>	mid- late June 2005	DPI	Consider Industries proposal to access region 1
5	Enhancement	Discussion revolved around these issues in the FMS / EIS process and will be part of the Industry Open Day of the 7 th July.			
6	General Management Issues	<p>Dennis Luobikis moved that Donna Smythe was not THE preferred person nominated by industry members for the SIAC the position. Dennis does not believe that she has the experience or knowledge to hold down the position and represent shareholders. Seconded Jim Miler. In favour – 3, against-3, one abstain.</p> <p>Chairperson stated that he was disgusted with this motion and that the raising of this issue further highlights to the Minister the statements the Chairperson made in his last report.</p> <p>DPI – considers that the statements made with regard to the appointees capacity to</p>	ASAP	Chairperson	Advise the Minister of this motion

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		<p>represent the views of Industry are pre-emptive and that Industries position in regard to experience appears to be based on knowledge of specific diving activities and does not take into consideration the appointees capacity to articulate Industries views in a clear a concise manner, nor to disseminate the outcomes of any such meeting.</p> <p>The letter to divers and shareholders re measuring abalone was discussed</p>	3 June 2005	DPI Compliance -	Mail letter to shareholders/divers re measuring abalone
7	Industry Issues	<p>ABMAC members were asked to provide advice if they endorsed the proposal to continue the EIS process to ensure the 1 December deadline is met and in accordance with the agreed budget of \$459k. Members endorsed this proposal noting that Jim Miller reserves his right to take legal action if he so wishes.</p> <p>Dennis Luobikis stated that DPI did not produce the documents that DPI said that Dennis had signed regarding variations to budget.</p> <p>DPI notes this and refers to previous minutes and refutes the allegations. NCC recollection is different to Dennis Luobikis' account.</p> <p>DPI advised the MAC that they can lodge a formal complaint if they are aggrieved by any process or action undertaken by the Department.</p>	ASAP	Jim Miller and John Smythe (Donna Smythe)	JAWG to notify Industry of July 7 th Open Day at Eden and time line for FMS/EIS

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		Compliance Issues		DPI compliance	DPI to provide to ABMAC with a snap shot of prosecutions for Region 1. Estimate the cost of conducting compliance on the commercial fishery only. Compliance report to include Industry prosecutions in their report.
8	Other Business	The risk to the NSW fishery of illegal, dried abalone causing illness overseas was raised. The MAC was advised that labelling laws are being strengthened to ensure a paper trail for all product			
9	Next Meeting	Should be held following the industry open day to discuss the EIS	July 8	MAC/DPI	Schedule meeting, noting that a new Chairperson will be required

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Attachment 1

As requested by Industry in Outcome number 1.

INDUSTRY POSITION PAPER FOR MANAGEMENT CHARGE BUDGET

Summary

The 2005-06 Management Charge budget proposed by DPI involves a continuation of existing service levels, which leads to a >12% increase in costs of managing the fishery compared to 2004-05. The Management Charge budget proposed by Industry identifies several key areas to improve the cost-efficiency of management. These include greater expenditure on Industry Development and Resource Enhancement, and a reduction in the Management Charge to Shareholders to help facilitate repayment of debt. Expenditure on Industry Development in particular is likely to lead to significant long-term cost-efficiencies in managing the fishery over the budget proposed by DPI.

The total budget proposed for 2005-06 by DPI represents a >12% increase on 2004-05, and is in contrast to the greatly reduced TAC and revenue in the fishery in recent years (i.e. >40% reduction), and likely TAC in 2005-06. Savings to Industry and DPI could be achieved through reduced service levels in several main areas:

1. Reduction in Compliance staffing from 4 Officers to 2. Industry support the continuation of 4 dedicated Compliance Officers for abalone, but can not afford to pay for these services at the expense of initiatives related to Industry Development and Resource Enhancement.
2. Reduction in the costs of Research services through outsourcing of the Fishery Independent Surveys. In addition to improved cost-efficiency through outsourcing, improvements in information for stock assessment are likely through greater Industry Development, in cooperation with the successful multi-state FRDC-supported project "Abalone Industry Development: local assessment and management by industry".
3. Reduction in Management staffing from 1 FMO to 0.5. Efficiencies in management staffing will be possible through a greater role of an Industry entity in services such as secretarial support for the MAC, printing and distribution of docket books etc.

Industry has proposed an alternative budget that will contribute to three significant outcomes. These include expenditure on two new line items and a saving to be returned to Shareholders:

1. Industry Development. Industry propose funding for a unified entity to represent their best interests and facilitate the development of more cost-efficient Fishery Management services. A proposal has been developed for the entity with independent, professional Chair and Directors responding to the democratic advice of Shareholders. In addition to the ongoing development of more cost-efficient management services and novel approaches to data collection for stock assessment by Industry, it is hoped the entity will also be able to use the funding to increase leverage of funds from other sources and receive significant in-kind support from Industry. An indicative budget for the Industry Development line item is as follows:

Industry Development

Independent Chair's Fees	\$15 000
Salaries	\$70 000
Operating costs	
(Office expenses, accounting, vehicle etc)	\$15 000
Logbooks	\$6 000
MAC support	\$11 000

2. Resource Enhancement. Industry propose funding for a range of methods to enhance the abalone resource, which are included in the draft Fishery Management Strategy and associated EIS. In particular, these include methods of reseeded abalone reef with juveniles raised in a hatchery and movement of brood-stock, rehabilitation of abalone habitat, and investigation of the potential of variable size limits. Industry believe the application of these methods will lead to a more productive abalone resource for all Stakeholders. Industry are also investigating the potential for the contribution of matching funds from other sources, and significant in-kind support will come from Industry. An indicative budget for the Resource Enhancement line item is as follows:

Resource Enhancement

Salaries (Hatchery)	\$20 000
Hatchery operating costs	
(Power, Lease etc)	\$40 000
Capital (Hatchery)	\$15 000
Habitat rehabilitation	
(Proposal development and operation)	\$15 000
Moving Broodstock	
(Proposal development and operating)	\$10 000

3. Saving to Industry. Almost \$800 000 of fees and charges are currently outstanding from at least 38 of the 48 shareholders, in addition to many Shareholder's outstanding debt related to fishery access costs. With the currently reduced TAC and revenue, there is little ability to repay these debts. The MAC support a saving in Management Charges being returned to Shareholders to help facilitate repayment of this debt.

The table below compares the Management Charge budget proposed by DPI with that proposed by Industry. Notes are provided to explain variations among the budgets. As summarized in the recent MAC minutes, a final recommendation on a Management Charge budget for 2005-06 is pending advice about the determination of the TACC, the DPI review of oncosts and overheads, the outsourcing of Research services and potential defrayment of increased DPI staff costs.

DRAFT MINUTES ABMAC 25 May 2005

Draft Abalone Budget 2005-06 Options

Fisheries Management	Staff	%	DPI	Staff	%	Industry	Note
Salaries	M	0.5	\$ 35,547	M	0.5	\$ 35,547	
	FMO	1	\$ 52,423	FMO	0.5	\$ 26,212	1
Oncosts			\$ 23,752			\$ 16,675	
Overheads			\$ 53,662			\$ 37,673	
Total Salaries			\$ 165,384			\$ 116,106	2
Travel - Other			\$ 5,000		0.5	\$ 2,500	3
Freight, Cartage and Postage			\$ 1,500		1	\$ 1,500	
Telephone - Mobile			\$ 500		1	\$ 500	
Printing - General			\$ 6,000		0	\$ -	4
IT lease			\$ 1,000		0	\$ -	5
Stores - Consumables			\$ 1,000		1	\$ 1,000	
Rewards			\$ 10,000		0.5	\$ 5,000	6
Total Operating			\$ 25,000			\$ 10,500	
MAC							
Sitting Fees			\$ 6,000		1	\$ 6,000	
General Fees			\$ 1,500		0	\$ -	7
Travel			\$ 8,500		0	\$ -	7
Travel - MV Employee expenses			\$ 1,000		0	\$ -	7
Total Operating			\$ 17,000			\$ 6,000	
Fisheries Research							
Salaries	RS	0.45	\$ 42,210	RS	0.45	\$ 42,210	8
	FT3	2	\$ 114,272	FT3	0	\$ -	9
	FT2	1	\$ 48,095	FT2	0	\$ -	9
Oncosts			\$ 55,236			\$ 11,397	
Overheads			\$ 124,792			\$ 25,748	
Total Salaries			\$ 384,605			\$ 79,355	10
Travel & Motor vehicle							
Marine Craft & Boat Charter							
General Fees Telephone etc						\$ 10,000	11
Consumables, Equipment & IT							
Contractors, casuals, outsource?						\$ 250,000	12
Total Operating			\$ 75,000			\$ 260,000	
Compliance							
Salaries	DFO	1	\$ 70,904	DFO	0	\$ -	13
	FO3	1	\$ 59,606	FO3	1	\$ 59,606	
	FO	2	\$ 115,656	FO	1	\$ 57,828	13
Overtime			\$ 20,000		0.5	\$ 10,000	14
Oncosts			\$ 71,865			\$ 31,707	
Overheads			\$ 162,361			\$ 71,635	
Total Salaries			\$ 500,392			\$ 230,776	15
Travel			\$ 15,000		0.5	\$ 7,500	16
Rent/Cleaning/security/electricity			\$ 15,500		0	\$ -	17

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Motor Vehicle Running	\$ 20,000	0.5	\$ 10,000	18
Motor Vehicle Lease	\$ 20,000	0.5	\$ 10,000	19
Marine Craft Running	\$ 3,500	0.5	\$ 1,750	20
Fees General	\$ 5,000	1	\$ 5,000	
Printing	\$ 2,000	1	\$ 2,000	
Telephone	\$ 8,000	0.5	\$ 4,000	21
IT	\$ 2,800	0	\$ -	22
Stores consumable	\$ 8,000	1	\$ 8,000	
Stores Plant and equipment	\$ 15,000	0.5	\$ 7,500	23
Stores/Uniform	\$ 2,000	0	\$ -	24
Total Operating	\$ 116,800		\$ 55,750	
Resource Enhancement			\$ 100,000	25
Total Expenses	\$ 1,284,180		\$ 858,487	26
Department Contribution (Savings)	\$ 244,158		\$ 98,753	27
Recreational Contribution	\$ 145,603		\$ 106,363	28
Industry Development			\$ 117,000	29
Industry Contribution	\$ 894,420		\$ 770,371	30
Industry Cost per share	\$ 244.78		\$ 210.83	31

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Budget notes

No additional justification or explanation of budget line items is possible, as none has been provided by DPI, despite MAC requests. Oncosts (26%) and Overheads (61%) are calculated as a percent of Salary. Departmental Contribution (Savings) is calculated as 20% of Salary and oncosts, plus 30% of Overheads. Recreational Contribution calculated as 14% of Total Expenses (not including contribution to Industry Development), and Industry Contribution calculated as 86% of Total Expenses plus Industry Development line item. Numbered notes refer to below:

1. Reduction in FMO to 0.5 FTE.
2. Reduced Salary component of Management budget through reduced staffing, oncost and overheads.
3. Reduced travel budget consistent with 2004-05 expenditure, and still allowing about 15 days travel at regional area rates (i.e. 15 days x \$150 per day).
4. Reduced Printing costs through printing and distribution of docket books by Industry entity.
5. Reduced IT lease by consolidation with existing DPI facilities covered by overheads.
6. Reduced Rewards consistent with 2004-05 and past expenditure, but support additional expenditure if needed and Industry entity could contribute.
7. MAC operating costs reduced and facilitated by Industry entity.
8. Research Scientist to monitor outsourced Independent surveys, and produce annual Stock Assessment Report.
9. Reduced Research staff levels through outsourcing of Fishery Independent Surveys.
10. Reduced Salary component of Research budget through reduced staffing, oncosts and overheads.
11. Operating budget for Research Scientist to monitor outsourced Independent surveys, and produce annual Stock Assessment Report.
12. Estimated cost of outsourcing of Fishery Independent Surveys, based on an experienced independent consultants estimate including contingency.
13. Reduced Compliance staff levels, but still significantly above that needed for compliance of the commercial fishery, and so still a significant contribution to addressing theft.
14. Reduced overtime in proportion to staffing reduction.
15. Reduced Salary component of Compliance budget through reduced staffing, oncosts and overheads.
16. Reduced travel in proportion to staffing reduction.

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17. Reduced Rent/Cleaning/security/electricity through use of existing DPI facilities covered by overheads.
18. Reduced Motor Vehicle Running in proportion to staffing reduction, although should be reduced further by consolidation with existing DPI facilities covered by overheads. Greater justification and explanation needed.
19. Reduced Motor Vehicle Lease in proportion to staffing reduction, although should be reduced further by consolidation with existing DPI facilities covered by overheads. Greater justification and explanation needed.
20. Reduced Marine Craft Running consistent with 2004-05 expenditure.
21. Reduced Telephone in proportion to staffing reduction.
22. Reduced IT by consolidation with existing DPI facilities covered by overheads.
23. Reduced Plant and Equipment in proportion to staffing reduction. Greater justification and explanation needed.
24. Reduced Stores/Uniform to within existing DPI facilities and covered by overheads. Greater justification and explanation needed.
25. Contribution by all Stakeholders to Resource Enhancement. May be possible to get matching contribution from FRDC.
26. A 33% reduction in total expenses.
27. A 60% reduction in Department Contribution (Savings).
28. A 27% reduction in Recreational Contribution.
29. Contribution by all Shareholders to Industry Development, including unified Industry entity taking greater role in Management of Industry, including responsibility for printing and distributing docket books and Industry costs associated with MAC.
30. A 14% reduction, or \$124 049 saving, in Industry Contribution.
31. A 14% reduction in Management Charge per share.

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2007-08 Budget

Appendix 2

Abalone Share Management Fishery Budget 2007 / 2008		
Management	Fisheries Manager 6/8 (50%)	\$ 38,447.85
	Fisheries Management Officer 3/4	\$ 56,701.01
	Total Salaries	\$ 95,148.86
	Oncosts (24.5%)	\$ 23,311.47
	Overheads (48%)	\$ 45,671.45
	Total Salaries+oncosts+o./heads	\$ 164,131.78
	Travel - Other	\$ 3,000.00
	Freight, Cartage and Postage	\$ 1,500.00
	Telephone - Mobile	\$ 250.00
	Printing - General	\$ 3,000.00
	IT lease	\$ 1,000.00
	Purchases - Plant and Equipment	\$ 3,000.00
	Stores - Consumables	\$ 500.00
	Rewards	\$ 10,000.00
	Total Operating	\$ 22,250.00
MAC	Sitting Fees	\$ 6,000.00
	Fees General	\$ 1,500.00
	Travel	\$ 8,500.00
	Travel - MV Employee Expenses	\$ 1,000.00
	Total Operating	\$ 17,000.00
Fisheries Research	Scientific Officer G3.1	\$ 74,527.00
	Fisheries Technician G3.3 (50%)	\$ 30,899.00
	Total Salaries	\$ 105,426.00
	Oncosts (24.5%)	\$ 25,829.37
	Overheads (48%)	\$ 50,604.48
	Total Salaries+oncosts+o./heads	\$ 181,859.85
	Travel / Motor vehicle running costs	
	Freight, cartage, postal expenses	
	Boat Charter	
	Fees General/Rewards/ Contractors	
	Printing	
Telephone Mobile		
Stores / Purchase of Fish		
Total Operating	\$ 34,282.00	
Compliance	Investigator	\$ 76,689.00
	Fisheries Officer	\$ 62,547.00
	Total Salaries	\$ 139,236.00
	Oncosts (24.5%)	\$ 34,112.82
	Overheads (48%)	\$ 66,833.28
	Total Salaries+oncosts+o./heads	\$ 240,182.10
	Travel	\$ 10,000.00
	Motor Vehicle Lease	\$ 20,000.00
	Marine Craft Running	\$ 2,500.00
	Fees General	\$ 4,500.00
	Telephone	\$ 2,000.00
	IT	\$ 3,720.00
	Stores consumable	\$ 5,000.00
	Overtime	\$ 7,500.00
	Stores/Uniform	\$ 1,000.00
Total Operating	\$ 56,220.00	
Total Expenses	\$ 715,925.73	
Department Contribution (Savings)*	-\$ 206,925.56	
Industry Contribution (non outsourced)	\$ 509,000.18	
Stock Assessment (outsourced)	\$ 189,585.18	
Adjustment from 2006/07	-\$ 116,915.16	
Total Industry Contribution	\$ 581,670.20	
Management Charge per share (3454)	\$ 168.40	
*Recreational and Marine Park subsidy of 12.6% provided		

Expenditure 2006-07

Appendix 3

Abalone Share Management Fishery Budget 2006 / 2007			
	Budget	Expenditure	
Management	Manager 6/8 (0.50)	\$ 36,969.00	\$ 36,969
	Management Officer 3/4	\$ 54,520.00	\$ 54,520
	Total Salaries	\$ 91,489.00	\$ 91,489
	Oncosts (27%)	\$ 24,702.03	\$ 24,702
	Overheads (48%)	\$ 43,914.72	\$ 43,915
	Total Salaries+oncosts+o./heads	\$ 160,105.75	\$ 160,106
	Travel - Other	\$ 3,000.00	\$ 1,936
	Freight, Cartage and Postage	\$ 1,500.00	\$ 176
	Telephone - Mobile	\$ 250.00	\$ 62
	Printing - General	\$ 6,000.00	\$ 247
	IT lease	\$ 1,000.00	\$ 944
	Purchases - Plant and Equipment	\$ 6,000.00	
Stores - Consumables	\$ 1,000.00		
Rewards	\$ 10,000.00	\$ 1,975	
Total Operating	\$ 28,750.00	\$ 5,339	
MAC	Sitting Fees	\$ 6,000.00	\$ 683
	Fees General	\$ 1,500.00	\$ 629
	Travel	\$ 8,500.00	\$ 2,210
	Travel - MV Employee Expenses	\$ 1,000.00	
	MAC elections		\$ 1,508
Total Operating	\$ 17,000.00	\$ 5,030	
Fisheries Research	Snr Research Scientist (0.45)	\$ 43,898.00	\$ 28,376
	Fisheries Technician Gr3	\$ 59,421.00	\$ 62,505
	Total Salaries	\$ 103,319.00	\$ 90,881
	Oncosts (27%)	\$ 27,896.13	\$ 23,394
	Overheads (48%)	\$ 49,593.12	\$ 43,623
	Total Salaries+oncosts+o./heads	\$ 180,808.25	\$ 157,897
	Travel / Motor vehicle running costs		\$ 3,597
	Freight, cartage, postal expenses		
	Boat Charter		
	Fees General/Rewards/ Contractors		
Printing			
Telephone Mobile		\$ 442	
Stores / Purchase of Fish		\$ 6,746	
Total Operating	\$ 34,282.00	\$ 10,785	
Compliance	DFO	\$ 73,740.00	
	FO	\$ 61,990.00	
	Overtime	\$ 15,000.00	\$2,598
	Total Salaries	\$ 150,730.00	\$133,881
	Oncosts (27%)	\$ 40,697.10	\$ 36,148
	Overheads (48%)	\$ 72,350.40	\$ 64,263
	Total Salaries+oncosts+o./heads	\$ 263,777.50	\$ 236,890
	Travel	\$ 20,000.00	\$ 12,638
	Motor Vehicle Lease	\$ 40,000.00	\$ 34,102
	Marine Craft Running	\$ 5,000.00	\$ 481
	Fees General	\$ 3,000.00	\$ 3,762
	Telephone	\$ 4,000.00	\$ 3,590
	IT	\$ 6,800.00	\$ 3,493
	Stores consumable	\$ 10,000.00	\$ 3,711
	Semi official phone costs	\$ 6,000.00	
Stores/Uniform	\$ 2,000.00	\$ 1,909	
Total Operating	\$ 96,800.00	\$ 63,686	
Total Expenses	\$ 781,523.50	\$ 639,733	
Department Contribution (Savings)	-\$ 201,924.06 *	-\$ 177,048	
Industry Contribution (non outsource)	\$ 579,599.44	\$ 462,684	
Stock Assessment (outsourced)	\$ 196,122.60 *	\$ 196,123	
Carry over unspent 05/06 funds	-\$ 45,889.00	-\$ 45,889.00	
Total Industry Contribution	\$ 729,833.04	612,917.88	
Management Charge per share (3654)	\$ 199.74		
*Recreational subsidy of 10% provided			
Industry Contribution less for 2006/07	\$ 116,915.16		

2 Trips, flights, Sustenance mailouts/courier for files
logbooks
computer lease

As part of the Variation to Declaration of Approved Wildlife Trade Operation



Commonwealth
of Australia

Gazette

No. S211, Monday, 27 November 2006
Published by the Commonwealth of Australia

SPECIAL



COMMONWEALTH OF AUSTRALIA

Environment Protection and Biodiversity Conservation Act 1999

VARIATION TO DECLARATION OF APPROVED WILDLIFE TRADE OPERATION

I, LARA MUSGRAVE, Delegate of the Minister for the Environment and Heritage, hereby vary under subsection 303FT(7b) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), the Declaration of an Approved Wildlife Trade Operation dated 28 November 2005 for the harvesting of specimens that are, or are derived from, fish or invertebrates, other than species listed under Part 13 of the EPBC Act, taken in the New South Wales Abalone Fishery, as defined in Schedule 1 of the New South Wales *Fisheries Management Act 1994*:

1. Revoke condition a):
Is valid until 28 November 2006.
2. Include a new condition a):
Is valid until 28 November 2008.
3. Revoke condition b) and the Schedule (dated November 2005):
Is subject to the conditions applied under section 303FT specified in the November 2005 Schedule.
4. Include a new condition b) and Schedule (dated November 2006):
Is subject to the conditions applied under section 303FT specified in the November 2006 Schedule.

Dated this 21 day of

November 2006

Delegate of the Minister for the Environment and Heritage

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SCHEDULE
November 2006

**Declaration of the Harvest Operations of the New South Wales (NSW) Abalone Fishery as
an approved Wildlife Trade Operation**

ADDITIONAL PROVISIONS (section 303FT)

Relating to the harvesting of fish specimens that are, or are derived from, fish or invertebrates, other than specimens of species listed under Part 13 of the Act, taken in the NSW Abalone Fishery.

1. Operation of the fishery will be carried out in accordance with the NSW Abalone Share Management Plan 2000 in force under the NSW *Fisheries Management Act 1994*.
2. NSW Department of Primary Industries (DPI) to advise the Department of the Environment and Heritage (DEH) of any material change to the Abalone Fishery management arrangements that could negatively affect the assessment of the fishery against the *Environment Protection and Biodiversity Conservation Act 1999* criteria, within three months of that change being made.
3. A report to be produced and presented to DEH annually, and to include:
 - a) information sufficient to allow assessment of the progress of NSW DPI, in conjunction with industry and other stakeholders, in implementing the conditions and recommendations made; and
 - b) the status of the Abalone Fishery performance indicators compared to the trigger points.
4. The Fishery Management Strategy for the NSW Abalone Fishery to be finalised and approved by the end of April 2007.
5. NSW DPI, in conjunction with NSW Abalone Fishery stakeholders, to develop and implement within 12 months an agreed recovery strategy for abalone stocks across the fishery that defines the following:
 - precautionary recovery targets and associated timeframes; —
 - specific measures to promote the rebuilding of stocks to target levels; and
 - stock and catch monitoring and compliance measures required to evaluate and enforce the recovery of depleted stocks.

AbMAC correspondence received and sent since the previous AbMAC meeting.

APPENDIX 5

Date	From	To	Issue
3-Jun-05	Tony Andrews, NSW DPI	Abalone Industry Members	Prohibited size abalone - rules & policies
22-Jul-05	Phil Bolton, NSW DPI	AbMAC Committee	Development of National Parks (Cape Howe Marine National Park) Regulations 2005
7-Aug-05	AbMAC Industry Members	Ian Macdonald, NSW Minister for Primary Industries	Support for task force for the abalone fishery
15-Aug-05	Some AbMAC Industry Members	Ian Macdonald, NSW Minister for Primary Industries	No confidence in the person appointed to the taskforce to provide advice on behalf of industry
5-Sep-05	Debbie Nemaz, NSW DPI	AbMAC Industry & Conservation Reps	WINSO (Women's Industry Network Seafood Community) - notification of workshops & dinner.
12-Sep-05	Anthony Hurst, NSW DPI	AbMAC Committee	Briefing on Tender for Abalone Survey Services Confidentiality Requirements
29-Sep-05	Dianna Watkins, NSW DPI	AbMAC Committee	Advise Committee Members of review of DPI administrative and financial management practices
18-Oct-05	Anthony Hurst, NSW DPI	AbMAC Committee	Draft Review of Environmental Factors (REF) of the Sea Urchin and Turban Shell (SUTS) fishery and associated draft Management Arrangements
8-Nov-05	AbMAC Industry Members	Ian Macdonald, NSW Minister for Primary Industries	Desalination plant at Kurnell and modification of the Boydtown Marina
10-Nov-05	AbMAC Industry Members	Ian Macdonald, NSW Minister for Primary Industries	Outstanding fees in the Abalone fishery and current policies of DPI about repayment
22-Nov-05	AbMAC Industry Members	Ian Macdonald, NSW Minister for Primary Industries	Response to NSW DPI letter dated 8/11/05 re. MAC expenditure issues
1-Dec-05	Col Gellatly, Chair, Marine Park Authority	AbMAC Committee	Batemans Marine Park
6-Dec-05	Emer. Prof. Derek Anderson, Chair NSW FRAB	AbMAC Committee	Updating NSW Fisheries Research Advisory Body strategic research plan
19-Dec-05	Some AbMAC Industry Members	Anthony Hurst, NSW DPI	Response to NSW DPI letter dated 12/12/05 re. outsourcing of the independent survey of abalone abundance, and additional research service costs by DPI
11-Jan-06	Debbie Nemaz, NSW DPI	AbMAC Committee	Australian Seafood Industry Council 'In search of Seafood Industry Champions'
20-Jan-06	Barry Buffier, Director-General, NSW DPI	AbMAC Committee	NSW DPI Annual Report 2004-05
30-Jan-06	Anthony Hurst, NSW DPI	Industry Members AbMAC	Request for Abalone Catch and Effort Data
2-Feb-06	Anthony Hurst, NSW DPI	Industry Members AbMAC, Megan Kessler & Mel Brown	Response to letter dated 22/11/05 (in reply to NSW DPI letter 8/11/05) regarding remuneration for non-MAC meetings
9-Feb-06	Some AbMAC Industry Members	Anthony Hurst, NSW DPI	Reply to NSW DPI letter dated 30/1/06 regarding Abalone Catch Data
22-Feb-06	Jackie Gerard, NSW DPI	AbMAC Committee	Preliminary Advice - Joint MAC Workshop Tuesday 11 & Wednesday 12 April 2006
1-Mar-06	Some AbMAC Industry Members	Renata Brooks, DDG, NSW DPI	Concerns about the AbMAC agenda for 4 April 2006

21-Mar-06	Anthony Hurst, NSW DPI	AbMAC Committee	Response to letter dated 9/2/06 (in reply to NSW DPI letter 8/11/05) regarding remuneration for non-MAC meetings
30-Mar-06	Debbie Nemaz, NSW DPI	Industry Members AbMAC & DPI Observers	Confirmation ABMAC meeting scheduled for 4/4/06 postponed
5-Apr-06	Renata Brooks, DDG, AFRR	Industry Members AbMAC	Response to letter dated 1/3/06 & email 17/3/06 regarding preparation of agenda for proposed ABMAC meeting 4/4/06
12-Apr-06	Debbie Nemaz, NSW DPI	AbMAC Committee	Gross unvalidated weight (1/7/05 to 28/2/06)
18-Apr-06	Sonya Errington, NSW DPI	AbMAC Committee	Reported Catch Year to Date (1/7/05 - 31/3/06)
4-May-06	Simon Kempson, Director Human Resources, NSW DPI	AbMAC Committee	Payment of Sitting Fees, Mileage and Travel Expenses
15-May-06	Debbie Nemaz, NSW DPI	AbMAC Committee	Reported Catch Year to Date (1/7/05 - 30/4/06)
16-May-06	Marine Parks Authority NSW	AbMAC Committee	Port Stephens-Great Lakes Marine Park. Draft Zoning Plan and overview and submission form
1-Jun-06	Sonya Errington, NSW DPI	AbMAC Committee	Notice of approval for a research project in Region 1 of the NSW Abalone Fishery
18-Jun-06	Sonya Errington, NSW DPI	AbMAC Committee	Seeking MAC's opinion if a MAC meeting is required prior to TACC meeting
19-Jun-06	Jim Miller on behalf of some Industry Member AbMAC	Sonya Errington, NSW DPI	'we do not believe a MAC meeting is sensible.....'
19-Jun-06	Debbie Nemaz, NSW DPI	AbMAC Committee	Reported Catch Year to Date (1/7/05 - 31/5/06)
28-Jun-06	Dianna Watkins, NSW DPI	AbMAC Committee	TAC Committee interim determination
6-Jul-06	Jackie Gerard, NSW DPI	AbMAC Committee	Copy of letter dated 5/7/06 from Anthony Hurst to Jim Miller responding to request for members of AbMAC for payment of a sitting fee at the TACC meeting
6-Jul-06	Renata Brooks, DDG, AFRR	Industry Members AbMAC	Response to letters dated 12/5/06 & 23/6/06 regarding Management Charges in the Abalone Fishery
10-Jul-06	Dianna Watkins, NSW DPI	AbMAC Committee	Attendance at the TAC Committee
11-Jul-06	Some AbMAC Industry Members (Emailed by Jim Miller)	Anthony Hurst, NSW DPI	Response (dated 7 July 2006) to letter from Anthony Hurst dated 2/2/06 regarding remuneration for meetings involving MAC members
12-Jul-06	Dianna Watkins, NSW DPI	AbMAC Committee	Abalone Share Management Fishery, NSW Department of Primary Industries, Submission to the Total Allowable Catch Committee 2006
17-Jul-06	Debbie Nemaz, NSW DPI	AbMAC Committee	Abalone Fishery Resource assessment Report for 2005 (as presented at the TACC meeting 13/7/06)
28-Jul-06	Kate Montgomery, NSW DPI	Industry Members AbMAC	Reported Catch Year to Date (1/7/05 - 30/6/06) & (1/7/06 - 25/7/06)
7-Aug-06	Anthony Hurst, NSW DPI	AbMAC Committee	Response to Out Of Session Agenda item re. proposed conduct of the abalone abundance survey in 2006/07
16-Aug-06	Debbie Nemaz, NSW DPI	AbMAC Committee	Reported Catch July 2006
23-Aug-06	Anthony Hurst, NSW DPI	Industry Members of AbMAC Committee	Outcome of the industry response to AbMAC request for the release of abalone catch and effort information by sub-zone
23-Aug-06	Debbie Nemaz, NSW DPI	AbMAC Committee	Revised table 8 page 19 of 'NSW DPI submission to the TACC 2006'

25-Aug-06	Industry Members of AbMAC (emailed by Jim Miller)	Peter Turnell, A/Manager Comm. Fisheries, NSW DPI	Letter dated 23/8/06 re: 'several issues related to management'
25-Aug-06	Industry Members of AbMAC (emailed by Jim Miller)	Peter Turnell, A/Manager Comm. Fisheries, NSW DPI	Copy of Letter dated 25/8/06 to Ian Macdonald, NSW Minister for Primary Industries re. Region 1 closure
13-Sep-06	Miriam Vandenberg,	AbMAC Committee	Abalone TACC determination for the 2006/2007 fishing period
21-Sep-06	Debbie Nemaz, NSW DPI	AbMAC Committee	Reported Catch (July & August 2006)
10-Oct-06	James Scandol, Science & Research, NSW DPI	Members of AbMAC Committee	Document Titled 'Determining the Biological sustainability of Wild Fisheries in NSW'
16-Oct-06	Miriam Vandenberg,	AbMAC Committee	Reported Catch (July - September 2006)
18-Oct-06	Miriam Vandenberg,	AbMAC Committee	Reported Catch to 16 October 2006
31-Oct-06	Debbie Nemaz, NSW DPI	AbMAC Committee	Responses received to Out Of Session Item of 23/10/06
1-Nov-06	Debbie Nemaz, NSW DPI	AbMAC Committee	Advice of NSW Food Authority quarterly newsletter (Sept 06)
2-Nov-06	Industry Members of AbMAC (emailed by Jim Miller)	Anthony Hurst, NSW DPI	Invitation dated 31/10/06 to attend NSW Abalone Fishery Shareholders meeting at Eden on 22 November 2006
7-Nov-06	Debbie Nemaz, NSW DPI	AbMAC Committee	Reported Catch (1 July - 31 October 2006)
21-Nov-06	Tony Hewson, Chief of Staff, Ministers Office	Industry Members AbMAC	Response to fax dated 25/8/06 from the Industry members of AbMAC to the Minister re. Region 1 closure (MA06/1517)
29-Nov-06	Debbie Nemaz, NSW DPI	AbMAC Committee	Budget 2006/2007 for the Abalone Share Management Fishery
7-Dec-06	Debbie Nemaz, NSW DPI	AbMAC Committee	Reported Catch (1 July - 30 November 2006)
15-Dec-06	Industry Members of AbMAC (emailed by Jim Miller)	Anthony Hurst, NSW DPI (cc Darryl Sullings)	Advise of several outcomes of a recent meeting of shareholders at Eden (letter dated 13/12/06)
15-Dec-06	Industry Members of AbMAC (emailed by Jim Miller)	Renata Brooks, DDG, NSW DPI	Letter dated 13/12/06 to Anthony Hurst regarding advise of several outcomes of a recent meeting of shareholders at Eden
18-Dec-06	Debbie Nemaz, NSW DPI	Industry Members AbMAC	Response to email dated from 13/12/06 from Industry Members of AbMAC to circulate responses to Out of Session Agenda Items
20-Dec-06	Debbie Nemaz, NSW DPI	AbMAC Committee	Updating Priorities in the Strategic Research Plan
20-Dec-06	Industry Members of AbMAC (emailed by Jim Miller)	Anthony Hurst, NSW DPI (cc Darryl Sullings)	Discussion papers re. finer scale management, particularly Region 2
12-Jan-07	Industry Members of AbMAC (emailed by Jim Miller)	Anthony Hurst, NSW DPI	Letter dated 10/1/07 - Issues re. Abalone Management Charges 2006-2007
15-Jan-07	Debbie Nemaz, NSW DPI	AbMAC Committee	Reported Catch (1 July - 31 December 2006)
31-Jan-07	Industry Members of AbMAC (emailed by Jim Miller)	Ian Macdonald, NSW Minister for Primary Industries	Response to correspondence from the Ministers Office, Management & Management Charges for 2006-2007 & 2007-2008
8-Feb-07	Debbie Nemaz, NSW DPI	AbMAC Committee	Reported Catch (1 July - 31 January 2007)
9-Feb-07	Jackie Gerard, NSW DPI	AbMAC Committee	TAC - Call for Public Submissions
12-Feb-07	Debbie Nemaz, NSW DPI	AbMAC Committee	Responses to Out of Session Agenda Item: comments on proposal to increase the NSW commercial abalone minimum size limit from 115mm to 117mm south of Wonboyn to the NSW/VIC border'

16-Feb-07	Industry Members of AbMAC (emailed by Jim Miller)	Emer. Prof. Derek Anderson C/- Tracey McVea, Executive Officer	Abalone Priorities for the NSW FRAB strategic research plan
22-Feb-07	Debbie Nemaz, NSW DPI	AbMAC Committee	NSW FRAB Updating abalone priorities in the strategic research plan
23-Feb-07	Dianna Watkins, Manager, Share Management Implementation, NSW DPI	AbMAC Committee	NSW DPI Annual Report 2005-2006 + Printed copy of the Act, General Regulation, <i>Fisheries Management (Supporting Plan) Reg 2006 & Fisheries Management (Abalone Share Management Plan) Reg 2000</i>
24-Feb-07	Doug Ferrell, Senior Scientific Officer, NSW DPI	AbMAC Committee	Draft EOI for Region 1 Survey
26-Feb-07	Debbie Nemaz, NSW DPI	AbMAC Committee	Letter re. consultation over Botany Bay Pipeline
26-Feb-07	Darryl Sullings, NSW DPI	AbMAC Committee	Proposal to increase the size limit for abalone south of Wonboyn to the NSW/VIC border
27-Feb-07	Jackie Gerard, NSW DPI	AbMAC Committee	Total Allowable Catch Committee Timeline 2007/08
27-Feb-07	Miriam Vandenberg, NSW DPI	AbMAC Committee	Proposed AbMAC meeting 30 April 2007 - tentative & subject to appointing a chairperson
27-Feb-07	Jim Miller emailed on behalf of Industry Members AbMAC	Darryl Sullings, NSW DPI	Response to Proposal to increase the size limit for abalone south of Wonboyn to the NSW/VIC border
1-Mar-07	Debbie Nemaz, NSW DPI	AbMAC Committee	cc of letter mailed to all abalone shareholders 1/3/07 (dated 28.02.07 from Anthony Hurst regarding industry proposal to increase the minimum size of abalone in part of region 6)
13-Mar-07	Debbie Nemaz, NSW DPI	AbMAC Committee	Reported Catch (1 July - 28 February 2007)
5-Apr-07	Debbie Nemaz, NSW DPI	Shareholders, Processors, Fisheries Offices & AbMAC	Meeting Notice and call for Agenda Items for AbMAC scheduled for 30/4/07
11-Apr-07	Debbie Nemaz, NSW DPI	AbMAC Committee	Reported Catch (1 July - 31 March 2007)
13-Apr-07	Anthony Hurst, NSW DPI	AbMAC Committee	AbMAC meeting scheduled for 30 April 2007 deferred pending appointment of a new Chairperson
13-Apr-07	Anthony Hurst, NSW DPI	AbMAC Committee	Payments to members AbMAC attending meetings
16-Apr-07	Jim Miller ('our comments')	Debbie Nemaz, NSW DPI	Proposed Agenda items for scheduled AbMAC meeting on 30 April 2007
7-May-07	Debbie Nemaz, NSW DPI	AbMAC Committee	Reported Catch (1 July 2006 - 30 April 2007)
15-May-07	Bill Talbot, Director, Fisheries Conservation and Aquaculture	Industry Members of AbMAC	Reply to your letter dated 27 April 2007, concerning a response to previous correspondence of 8 March and the proposed buyout of shares in the abalone fishery
16-May-07	Industry Members of AbMAC (emailed by Jim Miller)	Debbie Nemaz, NSW DPI	Letter to Anthony Hurst dated 15/5/07 advising of formation of the Abalone Council of NSW, request to provide management services and no response to letter dated 10/1/07 about Management Charges. Included cc of letters to the Minister dated 14/5/07 (from Industry Members of AbMAC and Directors, Abalone Council of NSW)
5-Jun-07	Industry Members of AbMAC (emailed by Jim Miller)	Debbie Nemaz, NSW DPI (cc Darryl Sullings)	Letter to Anthony Hurst dated 5/6/07 titled 'Re: Marine Parks and Abalone Management Charges'
7-Jun-07	Debbie Nemaz, NSW DPI	AbMAC Committee	Reported Catch (1 July 2006 - 31 May 2007)
20-Jun-07	Industry Members of AbMAC (emailed by Jim Miller)	Andrew Goulstone, NSW DPI (cc Debbie Nemaz)	Abalone Fishery Management Strategy (FMS) - concerns re. Management Response 2.2b & expenditure

27-Jun-07	Debbie Nemaz, NSW DPI	AbMAC Committee	Media Release 'Special Abalone Recovery Group to be Established'. Includes 2007/2008 TACC
2-Jul-07	Debbie Nemaz, NSW DPI	AbMAC Committee	2007/2008 Total Allowable Catch Committee Abalone Fishery Report and Determination
13-Jul-07	Nathan McNamara, NSW DPI	AbMAC Committee	Reported Catch (1 July 2006 - 30 June 2007)
19-Jul-07	Anthony Hurst, NSW DPI	Industry Members AbMAC	Reply to Emailed letter to Anthony Hurst dated 5/6/07 titled 'Re: Marine Parks and Abalone Management Charges'
30-Jul-07	Rebecca Greenhalgh, NSW DPI	AbMAC Committee	Media release dated 27/7/07 'New fishing bag and size limits announced'
1-Aug-07	Darryl Sullings, NSW DPI	Industry Members AbMAC	Meeting on 15 August 2007 for members of AbMAC to discuss issues relating to implementation of FMS and to prioritise actions to ensure export approval is maintained
2-Aug-07	Darryl Sullings, NSW DPI	AbMAC Committee	Letter to Commercial Fishing Business Owners from the Minister dated 26/7/07 regarding study to be undertaken by Mr Richard Stevens
3-Aug-07	Nathan McNamara, NSW DPI	Industry Members AbMAC	Copy of Letter to all shareholders & eligible fishers from Anthony Hurst & Gazettal Notice regarding Fishing Closure Region 1 & 2
3-Aug-07	Fiona McKinnon, NSW DPI	AbMAC Chairperson	Advice copies of Fishery Management Strategy for the NSW Lobster Fishery now available
8-Aug-07	Nathan McNamara, NSW DPI	Industry Members AbMAC	Electronic copy of Abalone FMS & advice re. appointment of AbMAC Chairperson
9-Aug-07	Debbie Nemaz, NSW DPI	Chairperson & Industry Members AbMAC	Reported Catch (1 July 2007 - 31 July 2007)
10-Aug-07	John Diplock, NSW DPI	Jim Miller & Steven Hunter, Industry Members AbMAC	Response to Mr Miller's email of 10/8/07 re cancellation of meeting scheduled for 15 August 2007
10-Aug-07	Jim Miller on behalf of Industry Members AbMAC	Darryl Sullings, NSW DPI (cc Debbie Nemaz)	Request to cancel meeting with NSW DPI scheduled for 15/8/07 due to limited numbers of AbMAC Industry members available to attend and delays in providing the agenda.
15-Aug-07	Fiona McKinnon, NSW DPI	AbMAC Committee	Copy of the Fishery Management Strategy for the NSW Abalone Fishery
22-Aug-07	Nathan McNamara, NSW DPI	Industry Members AbMAC	Ministerial Directions for the Special Abalone Recovery Group
28-Aug-07	Nathan McNamara, NSW DPI	AbMAC Committee	Meeting Notice - AbMAC meeting Thursday 27 September 2007
28-Aug-07	Anthony Hurst, NSW DPI	Industry Members AbMAC	Actions NSW DPI has implemented in response to industry proposals for the implementation of fine scale management in the NSW Abalone Share Management Fishery
28-Aug-07	Bill Bardsley, Strategy Leader Aquatic Biosecurity Health, NSW DPI	AbMAC Committee	Advise to AbMAC representatives on the proposed outline of sampling for <i>Ganglioneuritis</i> in NSW.
10-Sep-07	Debbie Nemaz, NSW DPI	AbMAC Committee	Reported Catch (1 July 2007 - 31 August 2007)
13-Sep-07	Jim Miller	AbMAC Chairperson	Proposed Agenda items for the upcoming AbMAC meeting schedule for the 27 September 2007

AbMAC Out of Session agenda items since the previous AbMAC meeting.

APPENDIX 6

Date Sent	From	Out-of-Session Item: Issue	To
1-Sep-05	Grant Johnson, NSW DPI	Postponement of AbMAC Out-of-Session telephone link-up	AbMAC
8-Nov-05	Anthony Hurst, NSW DPI	AbMAC advice sought re. payment of sitting fees, accommodation and travel expenses to members attending meetings, other than formal MAC meetings (Ref: FM05/1416)	AbMAC Committee
19-Apr-06	Sonya Errington, NSW DPI	Draft Budget 2006/2007	AbMAC Committee
29-Jun-06	Dianna Watkins, NSW DPI	Modified process for setting the abalone TAC for 2006-07	AbMAC Committee
7-Jul-06	Dianna Watkins, NSW DPI	The abalone abundance survey currently being conducted under contract by The Ecology Tab (TEL)	AbMAC Committee
10-Jul-06	Dianna Watkins, NSW DPI	Determination of a total allowable commercial catch (TACC) for the abalone fishery for the fishing period 1 July 206 to 30 June 2007	AbMAC Committee
30-Aug-06	Miriam Vandenberg, NSW DPI	Renewal of Fishing Closure - waters adjacent to Bouddi National Park	AbMAC Committee
13-Sep-06	Miriam Vandenberg, NSW DPI	Submarine Telecommunications Cables - Proposed protection zones for two submarine cables off Sydney	AbMAC Committee
23-Oct-06	Miriam Vandenberg, NSW DPI	Proposed changes to licensing arrangements and the share management plan	AbMAC Committee
24-Nov-06	David Makin, NSW DPI	Out of session agenda Item: SUTS renewal of fishing closure	AbMAC SUTS entitlement holders
28-Nov-06	Anthony Hurst, NSW DPI	2006/2007 management charge for the Abalone Share Management Fishery	AbMAC Committee
7-Dec-06	Anthony Hurst, NSW DPI	AbMAC advice on whether or not a closure to all commercial abalone fishing should be implemented over the 2006-07 Christmas – New Year period	AbMAC Committee
31-Jan-07	Miriam Vandenberg, NSW DPI	AbMAC comments on proposal to increase the NSW commercial abalone minimum size limit from 115mm to 117mm south of Wonboyn to the NSW/VIC border	AbMAC Committee
29-Jun-07	Nathan McNamara, NSW DPI	Draft Budget for the abalone share management fishery for 1 July 2007 to 30 June 2008	AbMAC Committee

Proposed agenda items received from AbMAC industry representatives on the 13 September 2007.

MAC agenda items for 27/09/07

Please arrange for all papers to be presented at the meeting to be distributed with the agenda one week prior to the meeting.

Please find below a list of formal correspondence from Industry members of the MAC to NSW DPI since the last MAC, and arrange date and a copy of all responses. Copies of all documents should be tabled at the meeting.

Please get back to us if you need background on any of the additional agenda items described below.

While there is an extensive list of additional agenda items, we believe items related to the recommendations made by the TAC Committee are most important, and background can be taken from their report.

Considering past difficulties with minutes, can you communicate our request for an independent minute taker to the Chair.

There are several outstanding action items from the previous two MACs that need to be addressed. The list below is in order of priority within each section.

Management

Closure of Region 1 and 2

Update the science behind the closure of the northern part of Region 1 and Region 2, and the consultation and planning prior to implementation of the closure. Industry members are concerned by the lack of science behind closure of the northern part of Region 1, the problems with the assessment of Region 2, the lack of consultation about closure following the repeat of the TAC Committee's recommendation about catch and information from the area, and the lack of any plan for management of the area as intended in the FMS. Industry members will propose a motion to reopen the areas, within the 110 t TAC, to sustainable and structured commercial fishing and to provide information about stocks in the area.

Update Marine Park buyout progress

Update progress and plans related to the buyout of abalone shares to compensate for Marine Park closures. Industry members request information about calculations within each subzone of the amount of shares for the buyout, including particularly the provision of information used to estimate the areas of reef alienated. Further, they also request information about how Shareholders were selected for the buyout to ensure the removal of the appropriate amount of effort from subzones in the northern part of the Batemans Park. Industry members will propose a motion expressing concern at the inappropriate

method for calculation and inappropriate number and distribution of shares in the buyout, and that an independent process is needed to review the decision.

TAC timetable and MAC input

Update progress and plans about the TAC Committee recommendation for MAC meetings to inform assessment and reporting process for TAC. Industry members do not believe this recommendation has been appropriately dealt with and will propose a motion to facilitate improvements for next year.

Structural adjustment

Update progress and plans about the TAC Committee recommendation about structural adjustment, including consideration of options for a dive entitlement as requested at the March 2005 meeting of ABMAC. Industry members will propose a motion to request advice about and recommend the use of a separate class of shares to be associated with the entitlement to dive.

Finer scale management

Update progress and plans about the TAC Committee recommendations on finer scale management and catch monitoring. Industry members will propose a motion to support the process for Industry finer scale stock assessment, with catch targets and monitoring plan.

Variable size limits

Update progress and plans about the TAC Committee recommendation on variable size limits. Industry members have already requested a regulation to increase the size limit south of Wonboyn, with a clear process for Industry to reverse or extend size limit changes further, and an agreed process for prior reporting. Industry members will propose a motion to support this size limit increase in such a way.

Management Charges

Update expenditure report for 2005/06 and 2006/07 fishing periods. Industry members have repeatedly requested project/activity based budget and expenditure reports, as recommended by IPART, and will again propose a motion in support of this. Industry members request advice about calculation of the contribution to the budget on behalf of the recreational and commercial sectors in the 2005/06, 2006/07 and 2007/08 budget, and why this amount was changed from that advised to the MAC on 19 April. Industry members have requested for some time reductions in service levels and more cost-efficient management services, and will again propose a motion in support of this. Industry members will also propose a motion in support of a deed limiting total management and other costs to a fixed percentage of GVP similar to other states abalone fishery. Industry members request a detailed project/activity based budget for proposed Management Charges in 2007/08, and the current level of outstanding Management Charges.

Recreational catch

Update progress and plans about the TAC Committee recommendations to more accurately estimate the recreational catch and review bag limits and opening time.

Economic information

Update progress and plans about the TAC Committee recommendations that data and analysis on the structure, conduct and performance of the industry be improved.

SIAC representative

Industry members wrote to NSW DPI over a year ago with nomination of representatives for SIAC, and request an update on progress. Industry members will propose a motion to support nomination of representatives from ABMAC.

EIS budget and FMS

Update progress on the FMS and the latest EIS budget, and any additional costs attributed to Industry.

Siting fees and allowances

Update progress and plans on procedures for determining appropriate meetings for payment of siting fees. Industry members will propose motions in support of payment for certain meetings, if necessary.

Industry Code of Practice

Funding from the DEET through the Fishing Industry Training Committee has allowed the development and consultation on an Abalone Council of NSW, Industry Code of Practice. Update progress on development and consultation on the Code of Practice, to be implemented by November in line with the FMS.

Keniry report

Update progress and plans on recommendations of the Keniry Taskforce report.

SUTS management changes and REF

Update progress and plans on catches and management of the SUTS fishery and REF.

Compliance

Regional offences detected and prosecutions, including commercial operators

Update progress and plans about the TAC Committee recommendations about management and estimation of illegal catches. ABMAC has requested for some time, and it is an action item from the previous 2 MACs, a report on the number of offences detected and successful prosecutions in each region of the fishery, and for commercial abalone, other commercial and non-commercial sectors. Industry members will again propose a motion that this is reported to all MAC meetings.

Time/resources for compliance in the commercial fishery

ABMAC has requested for some time, and it is an action item from the previous 2 MACs, a detailed estimate, including a breakdown by each activity/project, of the time and resources required to manage compliance of the commercial abalone fishery, and a comparison to the lobster fishery. This should include description of the number of inspections of commercial divers boats/catches within each Region.

Prior reporting proposal for size limit regulation

The TAC Committee and Industry has requested variable size limits enforced through an appropriate regulation. In supporting a regulated size limit increase, Industry proposed prior reporting through processors. Update progress and plans for prior reporting related to the variable size limit regulation, including any concerns with prior reporting through processors and detail to any alternative proposal. Industry members will propose a motion supporting prior reporting through processors.

Greater penalties and resourcing for theft.

Update progress and plans about the TAC Committee recommendations for greater penalties, particularly as an indictable offence for specific commercial quantities, and greater resourcing for theft. Industry members will propose a motion supporting the need for greater penalties, particularly as an indictable offence, and greater resourcing for theft.

Research

Explanation for budget and expenditure

The research component of the budget involves staff and operating, but it is not clear what activities/projects are budgeted for or where the budget is spent. Update progress and plans of expenditure on the research budget, including action items from the last 2 MACs about expenditure in past years by activity/project. Industry members will propose a motion supporting the need for budgeting by activity/project, and agreement on activities/projects being cost-efficient or necessary, as suggested by IPART.

Region 1

Update progress and plans for the survey in Region 1. Industry members will propose a motion supporting the need for a timetable to consider results of the survey with the TAC Committee and future management of Region 1. This will also refer to the development by Industry and DPI of a proposal for an urgent structured fishing survey in the northern part of Region 1.

Region 2

Update progress and plans about the TAC Committee recommendation for Region 2.

Industry members will propose a motion supporting the finer scale assessment and proposal for finer scale catch targets and monitoring of catches, and the development of a proposal by Industry and DPI for an urgent structured fishing survey in Region 1.

Stock assessment for TAC

Update progress and plans about the independent survey, particularly with respect to concerns of representivity, such as in Region 2. Update progress and plans over how the stock assessment model is behaving (i.e. retrospective analyses as requested by the TAC Committee) and being used (i.e. management targets decided by the TAC Committee), particularly with respect to concerns expressed by Industry members. Industry members will propose a motion not to proceed with survey or model this coming year, and for it to be replaced with a more cost-efficient and representative assessment from structured commercial fishing surveys in selected areas. This will also refer to the development by Industry of the use of GPS and depth loggers in the fishery.

Perkinsus report

Update progress and plans on the Perkinsus report.

National disease survey report

Update progress and plans on the National disease survey report.

Formal correspondence from Industry members of the MAC to NSW DPI since last MAC meeting. Copies of all correspondence and any relevant replies to be tabled.

TO	ISSUE	DATE	RESPONSE DATE
Anthony Hurst	EIS Public Exhibition	22 August 2005	
Anthony Hurst	Abundance surveys	14 September 2005	
Graham Levitt	SUTS REF	28 October 2005	
David Makin	Release of catch records	8 November 2005	
Anthony Hurst	MAC Allowances	22 November 2005	
Dianna Watkins	Xmas closure	30 November 2005	
Geoff Liggins	Region 1 closure survey	19 December 2005	
Anthony Hurst	Abundance surveys	19 December 2005	
Barry Buffier	Management Charges	11 January 2005	
Anthony Hurst	Release of catch records	9 February 2006	
Renata Brooks	Keniry Taskforce	28 April 2006	
Renata Brooks	Management Charges	12 May 2006	
Renata Brooks	FMS	13 June 2006	
Renata Brooks	Management Charges	23 June 2006	
Renata Brooks	Interim TAC	28 June 2006	
Anthony Hurst	MAC allowances	7 July 2006	
Anthony Hurst	Abundance surveys	7 July 2006	
Debbie Nemaz	Interim TAC, fishing period	21 July 2006	
Peter Turnell	Charges and Keniry	23 August 2006	
Peter Turnell	Bouddi NP	23 August 2006	
Miriam Vandenberg	Licensing	30 October 2006	
Anthony Hurst	Meeting invitation	31 October 2006	
David Makin	SUTS and REF	29 November 2006	
Darryl Sullings	Xmas closure	13 December 2006	
Anthony Hurst	Size limit increase	13 December 2006	
Anthony Hurst	Finer scale management	20 December 2006	
Anthony Hurst	Management Charges	10 January 2007	
Anthony Hurst	Abalone Council NSW	15 May 2007	
Anthony Hurst	Marine Parks and Charges	5 June 2007	
Andrew Goulstone	FMS	20 June 2007	



NSW DEPARTMENT OF
PRIMARY INDUSTRIES

OUT07/32

Jim Miller
Reef Grove Pty Ltd
21 THE MAINBRACE
TWEED HEADS NSW 2485

Dear Mr Miller

I refer to your enquiry regarding the calculation of number of abalone shares to be bought out as part of the Batemans Marine Park (BMP) buy out process.

The marine parks in NSW are zoned to allow for a range of different activities within the boundaries, however, the implementation of sanctuary zones will impact the abalone fisheries through loss of some fishing grounds. This impact on abalone fishing areas is used to calculate the number of shares to be bought out.

Catch returns submitted by commercial fishers from the years 1996 to 2005 were used to determine a historical proportion of catch in sub-zones within the fishery. This provided an indication of the importance of each sub-zone for the fishery over these years.

Each sub-zone was assessed independently when identifying the percentage of lost abalone ground. The amount of reef suitable for abalone fishing inside the sanctuary zones was calculated as a percentage of the total reef inside the sub-zones. Resources used during the assessment process included habitat maps and the final zoning plan. A proportion of impact on each sub-zone in the abalone fishery was determined by multiplying the proportion of catch in the sub-zones affected by the marine park and an estimated percentage of lost abalone ground.

Finally, the estimated proportional reduction in catch resulting from the sanctuary zones was multiplied against the total number of shares in the abalone fishery to determine the number of shares that will be acquired as part of the Batemans marine park buy out program.

I appreciate your concern and I am willing to discuss your concerns further. I do not, however, believe it is necessary to schedule a meeting at this point. If you have any further concerns or require any additional information please put these to me in writing and I will investigate any matters raised and respond to you promptly.

Yours sincerely

Graeme White 8/1/07
Manager Fisheries Information & Buy Out

FISHERIES CONSERVATION & AQUACULTURE
Agriculture and Fisheries Division
Taylors Beach Road, TAYLORS BEACH NSW 2315
Locked Bag 1, NELSON BAY NSW 2315

ABN 51 734 124 190
www.dpi.nsw.gov.au
Tel: 1300 303 763
Fax: 02 4982 1107



Industry Members of AbMAC
21 The Main Brace
TWEED HEADS NSW 2485

30 January 2007

Dear Messrs Chung, Loubikis, Miller, Hunter and Warren

I refer to your letter of 12 January 2007 regarding the proposed buy out of shares in the Abalone fishery and compensation for the SUTS fishery.

NSW Department of Primary Industries (NSW DPI) sent abalone shareholders a letter on 18 December 2006 advising that it is anticipated to purchase up to 20 abalone shares for the Port Stephens-Great Lakes Marine Park buy out program and up to 180 abalone shares for the Batemans Marine Park buy out program. The letter also advised that the closing date for the return of the Registration of Interest form has been extended until 28 February 2007 to allow shareholders to review the final zoning plans for the marine parks. Shareholders have until 28 February 2007 to submit, modify or withdraw from the buy out of Abalone shares.

NSW DPI has previously explained in a letter to Mr Jim Miller dated 8 January 2007 how the proposed number of abalone shares for buy out was calculated. NSW DPI acknowledges that assumptions were made in calculating the number of shares for buy out. However, given the information currently available, certain assumptions were unavoidable when making estimations as to the amount of reef available for abalone fishing and the productivity of different sections of the reef.

You express concern that the proposed 200 abalone shares to be bought out is insufficient to compensate for the sanctuary zones in each of the marine parks. However, you have not provided any further specific information that could be used to justify adjusting this figure.

In your letter you request a clear statement about the influence of outstanding abalone management charges on both the assessment of tenders and on those shareholders who are selected for buy out. Outstanding abalone management charges will not be considered when selecting shareholders for buy out. However, for those shareholders who are selected for buy out, all outstanding fees will need to be paid before NSW DPI makes final payment.



With regards to the probity of informing abalone shareholders as to the number of shares to be bought out, we have sought the advice of an independent probity advisor who has been commissioned to ensure the integrity of the program. The probity adviser has reviewed your letter and advised NSW DPI that, in his view, there are no probity issues in this matter. He noted that:-

- a) the invitation to participate in the buy out was sent to all relevant shareholders;
- b) the price and the criteria are known to all who received an offer; and
- c) there is no compulsion on any shareholder to participate in the buy out.

Further, he considers that the process meets all the fundamental tenets of probity, namely, fairness, accountability and transparency. He has confirmed that there are no conflicts of interest amongst those administering the program and has assured NSW DPI that appropriate levels of confidentiality are being maintained.

Finally, in your letter you request information about the buy out program for the Sea Urchin and Turban Shell (SUTS) fishery. The SUTS fishery is a restricted fishery and is not currently considered to be fully fished. As such, a buy out program is not required as fishing pressure can be shifted to areas that are not currently fully fished outside the marine parks.

Yours sincerely



Graeme White

31 JAN 2007

Manager, Fisheries Information and Buy Out



OUT07/2774

Industry Members of AbMAC
21 The Main Brace
TWEED HEADS NSW 2485

Dear Messrs Chung, Loubikis, Miller, Hunter and Warren

Thank you for your letter of 27 April 2007 concerning a response to previous correspondence of 8 March and the proposed buyout of shares in the abalone fishery.

I note the letter addressed to Bill Talbot on 8 March 2007 was responded to by Ms Renata Brooks, Deputy Director General for Agriculture, Fisheries and Regional Relations along with letters you sent to Hon Ian Macdonald, MLC, NSW Minister for Primary Industries and Hon Bob Debus MP.

In your letter to me you request advice about the head of power used to acquire and terminate shares. As specified in the *Fisheries Management Act 1994*, shares are surrendered under Section 74 (1) in return for a payment and cancelled under Section 74 (3).

You also request advice on who is responsible for the assessment of 200 abalone shares as an appropriate level of compensation for the marine park zoning restrictions. Shares to be acquired as a result of the Batemans and Port Stephens – Great Lakes Marine Park buy out programs are approved by the Director-General, Department of Primary Industries and the Marine Parks Authority. As specified above, shares are not purchased, but surrendered to the Minister in return for a payment.

Finally you request information on who is responsible for the decision to provide compensation to the Sea Urchin and Turbin Shell (SUTS) fishery as a result of marine park zoning restrictions. The decision not to run a buy out program for the SUTS fishery is made by the Director-General, Department of Primary Industries and the Marine Parks Authority.

Yours sincerely

Bill Talbot 15/5/07
Director, Fisheries Conservation and Aquaculture

**Andrew
Goulstone/DPI/NSW**

01/06/2007 06:46 PM

To Jim Miller, John Smythe

cc Grant Johnson/DPI/NSW@NSW

Subj Budget
ect

Dear John & Jim

I attach a copy of the updated budget for the FMS/EIS project, for your consideration. Apologies for the delay.

When going through the detail, I picked up a few errors on the last reports sent to you (ie. from May to Oct 05) and so have fixed them and attach revised versions covering that period. I also attach new sheets for the periods 'Nov 05 to Jun 06', 'Jul 06 to Sep 06', and 'Oct 06 - May 07'.

With respect to the earlier versions that have been revised, the changes include:

- reducing the 'oncost & overhead' factor to 0.75 from 0.81 consistent with the changes made to the general abalone fishery budget (commencing from 05/06 fiscal year)
- incorporating the public sector-wide salary increase, implemented on 1 July 2005
- fixing the dates and description of some of the payments in the 'specific and external costs' sheet, which Grant has since had clarified by TEL
- fixing the "Revised Project Budget" total on the budget summary page (1st page) so that it doesn't simply mirror the "Original Project Budget" figure.

A small amount of work remains on the project (ie. printing), so there will probably be one more budget report before the project is finalised.

Regards,

Andrew



COPY Mailed to all committee members
by Linde Vandeburg/D. Atkinson



NSW DEPARTMENT OF
PRIMARY INDUSTRIES

ABN 21 734 124 190

Sonya Errington
Abalone Advisory Committee

Dear Sonya

PAYMENT OF SITTING FEES, MILEAGE AND TRAVEL EXPENSES

Please be advised that the Advisory Council / Committee members now have additional payment options in relation to sitting fees and associated travel expenses incurred in connection with attending council/committee meetings.

The payment options which are now available are as follows:

1. Submit a Tax Invoice (sample attached) where you have an ABN with registration for GST purposes; or
2. Submit an Invoice (sample attached) where you have an ABN without registration for GST purposes; or
3. The organisation you represent may elect to submit a Tax Invoice, or
4. In the event that you are not carrying on an enterprise, therefore have no ABN, circumstances may allow you to provide a 'Statement by a Supplier - no ABN'; (sample attached) or
5. Request payment via NSW DPI payroll with deduction of appropriate income tax in accordance with the Tax Declaration supplied.

Existing Council/Committee members have been advised of the new payment options and been given the opportunity to alter their current payment arrangements. A copy of the advice sent to all current members is attached.

Please also be aware that the Crown Employees (Public Service Conditions of Employment) Reviewed Award 2006 was also recently varied to only permit the Department to pay the lower casual motor vehicle allowances where an Advisory Council/Committee member uses their private motor vehicle to attend meetings.

This change means that Finance and not Staff Payroll Centre, will process all mileage allowance. Motor vehicle allowances will remain assessable income

and will be shown on your PAYG Summary where the Advisory Council/Committee member has elected payment of the sitting fee via the payroll (i.e. a deemed employee).

In this regard it might also be noted that whilst a deemed employee must have a private motor vehicle comprehensively insured to claim mileage allowance when using the vehicle to attend meetings, a non-employee member has an additional option. Non-employee Council/Committee members (ie those who are not paid sitting fees or who elect to be paid their fee via the Finance system) can complete an indemnity form or provide a comprehensive policy to support a mileage claim. Alternatively, all Council/Committee members, irrespective of employee status can continue to claim reasonable, actual travel expenses when attending meetings.

Advisory Council/Committee members have been similarly advised of this change.

The Department is conscious that these ongoing changes (dictated by Tax Rulings/Award changes) have caused confusion and concern, however, the situation in relation to the processing of payments and associated administration has now stabilised. The Department apologises for any inconvenience caused.

Please see the attached process document in relation to the administrative management of Boards and Committees. In summary, the Staff Payroll Centre (SPC) receives all initial documentation with the SPC **only** processing sitting fees where payroll option is chosen, and nothing else. Finance will process **all** mileage and travel related expense claims (irrespective of payment option chosen), and sitting fees where a non-payroll option is selected.

Your assistance in confirming and where necessary, explaining the new payment arrangements at the next Council/Committee would be greatly appreciated.

Please do not hesitate to contact the Senior Staff Clerk (Boards & Committees) on 02 6391 3358 for payroll matters and the Travel Clerk on 02 6391 3639 for travel related issues.

Yours sincerely

Simon Kempson
Director Human Resources
for B D BUFFIER
DIRECTOR-GENERAL

4 May 2006

COUNCIL/COMMITTEE ADMINISTRATION - THE PROCESS

1. Contact officer receives advice of Cabinet/Director-General approval for new committee.
2. Minister's Office sends appointment letter and acceptance form to all new members.
3. Contact officer forwards a copy of the acceptance to the Staff Payroll Centre (SPC) immediately following receipt. The contact officer indicates the appointees' membership status (ie. Chair/Member) and fees applicable (attaching approval where fees are non standard).
4. Contact officer updates Council/Committee listing spreadsheet presently being developed by Mika Malkki (procedures to be provided in this regard).
5. SPC issues information/option letter to new members attaching the documentation listed below (copy of information/options letter attached). SPC retains a copy of correspondence issued and it is placed on a tracking system:

Advisory Council/Committee Member Details Form

Tax Declaration (only to be completed where payment via payroll is elected)

Sample Tax Invoice (& ATO explanatory note)

Sample Statement of Supply (with explanatory note)

Motor Vehicle Indemnity Form (only to be used by "non employee"

Council/Committee members in substitution for either a

comprehensive insurance policy or a claim for actual travel expenses)

6. SPC similarly tracks member responses and forwards the *Advisory Council/Committee Member Details Form* and any related comprehensive insurance and registration copies received at that time to Finance Branch where non payroll payment option is chosen and retains copy (of the Member Details Form) for placement on the relevant Council/Committee file. Finance will be responsible for pursuing and tracking any outstanding paperwork thereafter. A copy of the Member Details Form is also to be forwarded to the relevant contact officer so they are aware of the payment option chosen.
7. SPC follows up outstanding documentation (relevant to processing via payroll) via the contact officer in the first instant.
8. Contact officer ensures claims are appropriately completed, approved and authorised and forwards claims to either Payroll or Finance depending on the payment option chosen (and nature of the claim) ASAP. **NB all claims must be forwarded via the relevant contact officer to the Senior Staff Clerk (Boards and Committees), Staff Payroll Centre or the Travel Clerk, Finance Branch depending on the payment method chosen.**

9. SPC/Finance tracks incoming correspondence with the SPC paying sitting fees (where payroll option is elected) in the next available pay run subject to receipt of all necessary substantiation documentation.
10. Contact officer advises Staff Payroll Centre of any committee resignations/new appointments ASAP and thus the process recommences.



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OUT06/2623

6 JUL 2006

Mr I J & Mrs S J Miller
21 The Main Brace
TWEED HEADS NSW 2485

Dear Mr Miller *Jim*

Thank you for your letter of 5 June 2006, received in response to my correspondence of 27 February 2006, with regard to your ongoing claims for remuneration payable to members of the Abalone Management Advisory Committee.

As you are aware, Premier's Memorandum 2004-10: Guidelines for Board and Committee Members' Appointment and Remuneration (the Guidelines) specifies payments that may be made to committee members. Paragraph 3 - Allowances, specifies that "Members ... are reimbursed the actual cost of travel ... associated with their role on the Board." I am advised that for the meeting in Sydney that you attended on 14 to 16 April 2005, accommodation was arranged in close vicinity of the venue, to keep travel costs and time to a minimum. Any travel between meeting days was therefore of a private nature, and not liable for reimbursement.

With regard to insurance coverage for attendance at meetings, I can advise that members of committees are covered for any injury arising out of or in the course of official duties, 24 hours a day, including travel between their place of abode and place of employment, but excluding travel by air. This cover is therefore not related to the length of a meeting.

The Premier's Guidelines specify full day and half day meeting fees. I understand that the meetings with NSW Treasury were approximately one hour in length, and therefore remuneration has been made at the half day rate.

I note that you have also requested advice on arranging support from the MAC for payments. I also note that the Director, Wild Harvest Fisheries wrote to industry members of AbMAC on 2 February 2006 requesting consideration of appropriate criteria for the types of meetings for which members should be paid, including seeking input from all shareholders. This is the appropriate way for this matter to be progressed. However, I understand that no advice has been received to date.

Yours sincerely

**RENATA BROOKS
DEPUTY DIRECTOR-GENERAL
AGRICULTURE, FISHERIES AND REGIONAL RELATIONS**

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NSW DEPARTMENT OF
PRIMARY INDUSTRIES

OUT07/2136

Dear AbMAC members

I write to you regarding an earlier request made by some industry members of Abalone Management Advisory Committee (AbMAC) to be paid sitting fees and associated allowances to attend non MAC meetings. The previous correspondence between AbMAC members and NSW DPI refers.

I note that the industry members have not provided further advice on the specific types of non MAC meetings for which they consider payments should be made. I also note that some AbMAC members may be planning to attend meetings as part of the TAC Committee's forthcoming process to determine the abalone TACC for 2007/08, and that this is the type of non MAC meeting for which members may seek to receive payments.

I wish to reiterate that NSW DPI's in principle support for further exploring the concept of offering to pay all AbMAC members to attend non MAC meetings was dependent on (i) NSW DPI seeking the views of all abalone shareholders on the expenditure of the funds raised in part through their payment of the share management charges for the abalone fishery, and (ii) there being sufficient funds available in the annual budget to meet such additional costs.

I believe that there is now insufficient time prior to the TAC Committee meeting(s) to enable NSW DPI to undertake a reasonable consultation process with all abalone shareholders. I also note that a number of shareholders have not paid their invoiced charges for 2006/07.

Accordingly, sitting fees, accommodation, travel or associated expenses will only be paid when members are attending formal AbMAC meetings.

If you have any enquires regarding this matter please contact Miriam Vandenberg, A/Fisheries Manager, Abalone on 02 9527 8424.

Yours sincerely

A handwritten signature in black ink that reads 'Anthony Hurst'.

Anthony Hurst
Director, Wild Harvest Fisheries

13-9-07

Wild Harvest Fisheries Branch
PO Box 21
202 Nicholson Parade
CRONULLA NSW 2230

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