

**LOBSTER MANAGEMENT ADVISORY COMMITTEE (LOBMAC) MEETING
FINAL AGENDA**

**30 March 2009
8:30 AM to 4:00 PM
1st Meeting for 2009
Cronulla Fisheries Centre
202 Nicholson Parade, Cronulla**

Ref: OUT09/3808

Chairperson

Mr Alan Dodds

Management Advisory Committee Representatives

Ron Firkin	Industry Representative
Noel Gogerly	Industry Representative
Lee Monin	Industry Representative
Daniel Stewart	Industry Representative
Scott Westley	Industry Representative
Adrian Wayne	Deputy Recreational Representative
Arthur Dye	NCC Representative
Nathan McNamara	NSW Department of Primary Industries
Vacant	Indigenous Representative

Observers

Darryl Sullings	NSW Department of Primary Industries: Management
Kate Montgomery	NSW Department of Primary Industries: Management
Geoff Liggins	NSW Department of Primary Industries: Research
Tony Chen	NSW Department of Primary Industries: Compliance
Matthew Cartwright	NSW Department of Primary Industries: Compliance
Peter Brown	NSW Department of Primary Industries: Systems Reforms
Darryl Sykes	Industry Advisor

**LOBMAC FINAL AGENDA
30 March 2009**

1.. (a) Welcome, Apologies and Introductory remarks (b) Agreement on Agenda for 27 February 2008 (c) Confirmation of final draft minutes of 28 March 2007	Chairperson
2. Correspondence received and sent	Chairperson
3. Business arising from previous meetings	Chairperson
4. Update on the Total Allowable Catch Setting and Review Committee (TAC Committee) program for 2009/10	NSW DPI and Industry
5. Recommendations from the 2008/09 TAC Committee determination	NSW DPI
6. Trap operations	Industry/NSW DPI
7. Tag update	NSW DPI
8. Updates: (a) Research (b) Management (c) Compliance (d) Catch Reforms project (e) Industry	Research, Management, Compliance, and Committee Representatives
9. Lobster Management Budget	NSW DPI
10. Other business	Chairperson
11. Chairperson's Summary	Chairperson

Agenda Item 1 (a)**Chairperson**

Welcome, Apologies and Introductory remarks

Background

The Chairperson welcomes all the representatives and observers to the first LobMAC meeting for 2009.

Oliver Wady, the recreational representative for LobMAC has forwarded his apologies for today's meeting. Mr Adrian Wayne has been nominated as a deputy in Mr Wady's absence.

Nomination processes

In January 2008, the nomination process for three LobMAC industry representative positions was undertaken, as these positions expired on 29 February 2008. Lee Monin was appointed as a new industry representative, whilst Scott Westley and Daniel Stewart were re-appointed for a further three years. Two industry representative positions are due to expire in August 2009. Election processes for these positions will commence shortly.

Outcomes**Agenda Item 1 (b)****Chairperson****Issue**

Agreement on Agenda for 30 March 2009

Background

A notice of the meeting and call for agenda items was circulated to Committee members, Fisherman's Co-operatives and Coastal Fisheries Offices on 6 February 2009.

A draft agenda was sent to all Committee members, Fisherman's Co-operatives and Coastal Fisheries Offices on 20 March 2009. Additional items may be proposed for discussion during other business, subject to approval by the Chairperson.

Outcomes**Agenda Item 1 (c)****Chairperson****Issue**

Confirmation of final minutes of 27 February 2008.

Background

Draft outcomes of the LobMAC meeting held on the 27 February 2008 were circulated to Committee members on 7 March 2008 for comment. No comments or changes were made to the preliminary draft outcomes. The final draft outcomes were sent to all Committee members, Fisherman's Co-operatives and Coastal Fisheries Offices on 9 April 2008.

The final draft outcomes are placed in Appendix A.

Outcomes

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

Correspondence received and sent

Background

All LobMAC correspondence received and sent since the last LobMAC meeting held in February 2008.

Correspondence Received and Sent

Date	From	Issue	To
15/05/2008	Lobster Shareholder	Lobster traps damaged by Prawn Trawlers in Crowdy Head	Chairperson Lob MAC
21/05/2008	NSW DPI, Lobster Management	Agenda for the Working group meeting on 28 May 2008	LobMAC Members
23/07/2008	NSW Minister for Primary Industries	Response to draft outcomes for LobMAC 27/2/08	Chairperson LobMAC
15/07/2008	NSW DPI, Lobster Management	Lobster Catch Summary for the 2007/08 fishing period	LobMAC Members
13/08/2008	NSW DPI, Lobster Management	Response to regarding Ministerial Letter	Chairperson LobMAC
13/08/2008	NSW DPI, Lobster Management	Response to draft outcomes for LobMAC 27/2/08 - sent FYI	LobMAC Members
21/08/2008	NSW DPI, Lobster Management	Lobster Port Meetings	LobMAC Members
24/09/2008	NSW DPI, Lobster Management	Article regarding the WA Rock Lobster fishery	LobMAC Members
24/10/2008	NSW DPI, Lobster Management	OOS- Banning rec and commercial use of abalone viscera as bait	LobMAC Members
29/10/2008	NSW DPI, Lobster Management	Articles regarding the WA Rock Lobster fishery	LobMAC Members
14/11/2008	NSW DPI, Lobster Management	Fishing Industry Stakeholder Meeting notice	LobMAC Members
18/11/2008	NSW DPI, Lobster Management	Meeting invitation to NSW DPI Offshore Artificial Reefs Project	LobMAC Members
1/12/2008	NSW DPI, Lobster Management	SE Australia fisheries application to climate change project	LobMAC Members
2/12/2008	NSW DPI	Release of details of revised catch and effort reporting arrangements	LobMAC Members
3/12/2008	NSW DPI, Lobster Management	FYI - New crayfish bag limits in WA	LobMAC Members
12/01/2009	NSW DPI, S & R	Updating priorities in the strategic research plan	Chairperson Lob MAC
27/01/2009	NSW DPI, Lobster Management	Lobster TACC determination timetable for 2009/10	LobMAC Members
5/02/2009	NSW DPI	Updating priorities in the strategic research plan	Chairperson, LobMAC
5/02/2009	NSW DPI, Lobster Management	National Seafood Industry Leadership Program	LobMAC Members
6/02/2009	NSW DPI, Lobster Management	LobMAC meeting notice	Interested stakeholders

Outcomes

For noting

Agenda Item 3**Chairperson****Issue**

Business arising from previous meetings

Background

Update on new and outstanding action items

Action	Date Raised	Responsibility	Status
1. LobMAC be provided with information on the number of submissions received from spear fishers and recreational fishers during the implementation of the Port Stephens Marine Park.	21 March 06	NSW DPI / MPA	2,282 recreational fishers and 842 spearfishers responded to the PSGLMP draft zoning plan. Further information on the summary of submissions is available at: www.mpa.nsw.gov.au
2. Advise fishers that they may fax a copy of daily log sheets and post originals.	16 November 06	NSW DPI	Complete. Fishers have been advised in the RIC newsletter and a letter to all share and endorsement holders (OUT08/4858). It is also proposed to be placed in the instructions on the revised daily catch forms.
3. NSW DPI to explore possible options to facilitate quota trading, including any associated privacy provisions and resource requirements.	16 November 06	NSW DPI	NSW DPI could maintain an informal list of shareholders who wish to transfer quota, subject to satisfying privacy requirements.
4. LobMAC Chairperson to send a letter to the Commonwealth Minister for Transport and Regional Services requesting assistance in preventing destruction of NSW Lobster fishing gear by large cargo vessels.	28 March 07	NSW DPI	Complete. Minister for Ports and Waterways was advised about commercial fishing industries concern regarding large vessels.
5. DPI to provide advice regarding the number of SETF vessels operating out of Sydney.	28 March 07	NSW DPI	Six trawling vessels (state and/or Commonwealth) operate out of Sydney.
6. DPI to amend Lobster Share Management Plan to include revised objectives, Performance Indicators and Trigger	28 March 07	NSW DPI	Drafting instructions have been prepared.

points, as well as the transmission of shares and maximum shareholding aggregation limit (to 40%). Proposed Regulation Amendments – objectives, performance indicators and trigger points in LobSMP to be considered out of session.	27 Feb 08	NSW DPI/LobMAC	
7. DPI to develop discussion paper on Trap Marking for consideration by LobMAC. DPI to further consult with LobMAC out of session.	28 March 07 27 Feb 08	NSW DPI NSW DPI/LobMAC	Agenda item 6
8. LobMAC Chairperson to send a letter to DECC expressing disappointment with the lack of direct consultation with LobMAC in relation to the development of marine parks.	27 Feb 08	LobMAC Chairperson	LobMACs comments were included in the last meeting outcomes, which have been noted by the Minister.
9. The Minister to be advised of industry's concern with respect to the current cost recovery policy and their request for further subsidies to alleviate the impact on viability.	27 Feb 08	LobMAC	Complete.
10. DPI to remind fishers to amend all references in their catch reporting logbooks from 200mm to 180mm. Notice to be sent with season 2008/2009 quota allocation notices.	27 Feb 08	NSW DPI	Complete.
11. Industry to trial new tags and advise Lobster Management/Compliance.	27 Feb 08	Industry	Complete
12. LobMAC to consult with shareholders with the aim of mapping grounds.	27 Feb 08	LobMAC	In progress
LobMAC and /or shareholders to develop communication lines with local Trawl Operators to resolve conflict issues regarding habitat protection and the impacts of trawling.	27 Feb 08	Industry	Ongoing
13. Letter from Industry representatives to FRDC requesting a meeting with a FRDC representative (and DPI representatives) to discuss variations in the existing FRDC "ghost fishing" proposal to include appraisal of electronic acoustic release mechanisms as a means of mitigating ghost fishing and theft of traps.	27 Feb 08	LobMAC	Complete. Revised project proposal was re-submitted to FRDC in February 2009.
14. Industry representatives to invite representatives of FIOMarine to a meeting with representatives of Industry and DPI to discuss future use of the release mechanism they are developing.	27 Feb 08	LobMAC	Complete.

Agenda Item 4

NSW DPI

Issue

Update on the Total Allowable Catch Setting and Review Committee (TAC Committee) program for 2009/10

Background

The TAC Committee will meet on 31st of March and 1st of April 2009 as part of its process to determine the Lobster TACC for the 2009/10 fishing period. A call for submissions was advertised on 2 February 2009 and shareholders and interested stakeholders were advised. The closing date for lobster submissions was 9 March 2009. NSW DPI is scheduled to present reports to the TAC Committee on 31st March 2009.

NSW DPI will provide LobMAC with an overview of the draft content that is to be provided to the TAC Committee.

Outcomes

Agenda Item 5

NSW DPI

Issue

Recommendations from the 2008/09 TAC Committee determination

Background

In its annual determination, the TAC Committee makes recommendations on the management, research and compliance of the lobster fishery. Many of the recommendations placed in their 2008/09 TAC determination require action from both industry and government. Below are TAC Committee recommendations for discussion:

a) Minimum Shareholding

In its 2008/09 report and determination, the TAC Committee recommended removing the current "original shareholder" exemption to the minimum shareholding of 55, because it could potentially lead to greater economic efficiencies and reduce compliance/management costs for the fishery.

A decision on this issue was deferred in September 2005 to allow monitoring of the impacts of the Marine Park buyouts.

The current share trading rules allow for existing shareholders to customise their fishing business to suit their needs and enables the fishery to restructure with minimal impact on the viability and fishing practices of current participants. As at February 2009, the total number of shareholders in the fishery has decreased from 174 on commencement of the Plan to 112. Currently, 17 shareholders who hold below 55 shares are eligible for an endorsement, 12 of whom reported fishing in 2007/08. This is a substantial change from the 2001/02 fishing period when approximately half of the 173 shareholders in the fishery held less than 55 shares.

It is apparent that restructuring of the fishery is occurring under the current arrangements and at this stage no information is available which indicates a substantial reduction in management or compliance costs would result from altering the current minimum share holding arrangements.

b) Fishery economics

The TAC Committee places increasing emphasis on the collection of fishery economic information and the development of economic target reference points. Currently, NSW DPI monitors basic economic data derived from share and quota transfers and the average weighted price paid for Eastern Rock Lobster at the Sydney Fish Markets.

In early 2008, there was concern that the Office of State Revenue was abolishing stamp duty on share trades, thus removing the obligation to report on share transfer prices. It has since been advised that the stamp duty tax will continue. In relation to the quota transfer price, this information is provided on a voluntary basis and therefore creates some level of uncertainty about the data. For the current fishing period, the price for quota being traded has ranged between \$18 - \$20, however only 26% of all processed quota transfers have provided this information.

NSW DPI seeks advice from industry on whether further resources should be allocated to the development of economic reference points and the increased collection of fishery economic data.

c) Trapping and Penning Issues

Whilst the TAC Committee is of the belief that compliance in the fishery is improving, there still remains some issues in terms of tightening the quota system, especially in relation to the holding of lobsters in pens and current quota reporting arrangements.

Under the catch reporting reforms project, the proposed catch reporting requirements are being amended to require lobster fishers to 'validate' their penned lobsters instead of estimated weight. This amendment will further improve the integrity of the lobster quota management system

Agenda item 6 also provides discussion for lobster trapping operations.

d) Mapping exercise

The TAC Committee acknowledges the current gear conflict between trawl and trap fisheries raised by lobster fishers.

Gentlemen's agreements between fishers at the port level have been utilised to reduce conflict, with minimal Government involvement. An update on the ongoing mapping exercise will be provided at the meeting.

e) Update on Recreational Fishing Survey

Recreational Trust funded fisher surveys are providing some data regarding the recreational harvest of eastern rock lobster, however the need to obtain robust time-series estimates of recreational catch and effort is acknowledged.

f) Spatial profiling/characterising

The TAC Committee recommends the development of management measures that acknowledge the spatial structure of the NSW Rock Lobster Fishery.

NSW DPI is currently implementing new the lobster catch reporting requirements that will collect information at a finer scale to identify the variable spatial structures of the fishery. This will assist the development of any future fishery management arrangements.

Fishery dependent information on byproduct retention, threatened species and ghost fishing will also be obtained.

Issue

Trap operations

Background*i) Trap marking and identification*

Some shareholders have proposed alternate trap marking arrangements specifically in regards to the legality of using a plastic tag attached to the float of their lobster traps for identification purposes. It is proposed to use a tag, similar to a cattle tag, containing the fishers rego number or LFB number or both. The intent is to try and solve industries problem with relation to keeping lobster floats clean and readable.

ii) Taking of lobsters in traps

Industry has requested advice from NSW DPI relating to the taking and landing of lobsters.

The *Fisheries Management Act 1994* (the Act), defines “take” as catching or killing fish (including lobsters) or attempting to do so. Therefore a shareholder or a nominated fisher for a shareholder takes rock lobster for sale when:

1. the commercial lobster trap is set in the water; and/or
2. the lobster is captured in a commercial lobster trap; and/or
3. the commercial lobster trap is lifted out of the water.

Shareholders or the nominated fisher for a shareholder must not take lobsters in contravention of the shareholder’s quota. Therefore, if taking lobsters, the relevant shareholder or nominated fisher must have sufficient quota to cover the lobsters taken.

iii) The ocean trap and line fishers have expressed concern that escape panels are not currently required in lobster traps. NSW DPI has advised OTL fishers that the Lobster fishery is funding, through the annual management charge, an observer program on lobster fishing practices. This program is identified as a high priority under the Lobster FMS (management response 1.2b) and aims at collecting information on the magnitude and composition of retained and discarded catches from lobster trapping operations. With the remainder of fieldwork, data entry and analysis still to be completed, a full report will not be available until the end of 2009.

If requested, a summary of progress and preliminary results maybe provided to OTLMAC during 2009. Further detailed fishery information will be obtained by the new catch reporting system.

Outcomes

Issue

Tag update

Background

NSW DPI has purchased lobster tags from Mega Fortris Australia Pty Ltd for the 2009/10 fishing period. The SP Fast Seal 8" tag produced by Mega Fortis has proven to be more durable and cost effective than other tags.

The tag colour for the 2009/10 fishing period is yellow with a green insert. The green insert will assist compliance in distinguishing the tag from previous years.

It has previously been suggested by LobMAC representatives that an "eco label" be placed on lobster tags. The current intent of the tags is to maintain the integrity of quota management, by providing a system that enables the tracking of lobsters. The current tagging company has advised that laser engraving on both sides of the tag is possible for an additional cost of \$15 per 1000 tags. An example of this 'eco labeled' tag will be provided at the meeting.

In developing an appropriate label it is necessary to consider relevant legislation.

The Australia and New Zealand Food Standards Code (the Code), which is enforced and interpreted in NSW by the Food Authority, lists requirements for foods including labeling. In terms of the promotional labelling of live lobsters (i.e. unpackaged product) via a tag, there appears to be no requirements other than when health claims are made in that promotion.

Section 42 of the *Fair Trading Act 1987* stipulates that a person shall not, in trade or commerce, engage in conduct that is misleading or deceptive or is likely to mislead or deceive. Therefore, a decision to promote our lobster product on tags would have to ensure that the chosen label is not likely to mislead or deceive customers; that is any claim made would have to be substantiated through evidence.

Advice is sought from LOBMAC on whether they consider it beneficial to pursue some kind of eco labeling of lobster tags and if so, provide advice on potential logos. Revised labeling could be included for additional tag orders in the 2009/10 and subsequent fishing periods.

Outcome

<p>Issue Management, Research, Compliance, and Committee member updates</p>
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<p>Background (a) Research A verbal update will be provided at the meeting.</p> <p>(b) Management <i>2009/10 Work Program</i> 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 maintain, develop, implement and review strategies for the sustainable and equitable use of the NSW lobster resource. This includes monitoring the objectives, performance indicators and trigger points (currently under review) of the Lobster Share Management Plan and to examine performance against effective, maintenance of the lobster quota system and cost efficient management in the lobster fishery.</p> <p>Draft management projects identified for the 2009/10 fishing period are identified, but not limited to, those detailed in the table below.</p>
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Milestone	Target Date
<p>Regulatory Change A number of amendments to the share management plans are proposed. The unit will initiate and subsequently implement the following amendments:</p>	
Amend objectives, performance indicators and triggers for review to achieve consistency with the Lobster FMS and other share management plans.	ASAP in 2009
Increase the maximum shareholding in the Lobster fishery to 40% of the shares originally issued in the fishery	
Allow for the Minister to determine the amount of quota that may be taken in an area of the fishery to provide for spatial management of the fishery	
Implement a requirement that fishers validate the weight of a lobster prior to it being placed in a pen and that pen being sealed	
Implement prohibition on the use of fish spikes, clubs or any other such implement that could unduly harm non-retained organisms	
Provide for the transmission of a shareholding to more than one person	
<p>Management / administrative services</p>	
Allocation of quota and tags to shareholders for 2009/10 fishing period	June 2009
Amend logsheets to collect information on the number of traps in the fishery that are lost during fishing operations, and implement appropriate management actions that mitigate the risks of ghost fishing, as required	June 2009
Modify the mandatory reporting arrangements, in consultation with the LOBMAC, to enable the collection of information on interactions with or sightings of threatened or protected species	June 2009
Investigate the feasibility of including tag numbers on prescribed records and arrangements for validating daily landings and other CPUE data and implement the outcome	
Prepare and provide management report to the TAC Committee to assist in setting the commercial catch of lobster for the subsequent fishing period	March 2009

Manage a transparent budget setting process, including consultation with LobMAC	July 2009
Data entry and maintenance, issue of tags and logbooks, quota transfers, reconciliations of catch data, provision of advice and daily enquiries	Ongoing
Provide efficient Ministerial and Executive support	Ongoing
Monitor and administer share forfeiture process	Ongoing
Prepare advisory information and updates, ie RIC newsletter	Ongoing
Continued policy development and review of management arrangements	Ongoing
Undertake at least two LobMAC meetings annually	Ongoing

(c) Compliance

A verbal update will be provided at the meeting

(d) Catch Reforms project update

(e) Committee members

Outcomes

Agenda Item 9

Chairperson

Issue

Lobster 2009/10 budget and 2008/09 expenditure

Background

For the Committees information, the approved 2008/09 fishing period's management budget is available in **Appendix C**.

2009/010 Budget

Consideration of resources and programs is required to facilitate the budget setting process for the 2009/10 fishing period. A draft 2009/10 budget will be provided at the meeting.

Outcomes

Agenda Item 10

Chairperson

Issue

Other business

Outcomes

Agenda Item 11

Chairperson

Issue

Chairperson's summary and next meeting date

Outcomes

FINAL DRAFT OUTCOMES (OUT08/4132) from LOBMAC meeting held on 27th February 2008.

Agenda Item	Outcome
1(a). Welcome and apologies	<p>The Chairperson introduced himself and welcomed the committee members and observers to the meeting.</p> <p>The Chairperson acknowledged Mr Barry MacBean's service and commitment to the LobMAC and the lobster fishing industry. Mr Wady and Mr Firkin were also acknowledged for chairing previous LobMAC meetings.</p> <p><u>Attendance:</u> Alan Dodds (Chairperson), Danny Stewart, Noel Gogerly, Scott Westley, Ron Firkin, Oliver Wady, Dianna Watkins.</p> <p>Amy Priestly (Secretariat).</p> <p><u>Observers:</u> Peter Offner, Lee Monin, Nathan McNamara, Tony Chen, Geoff Liggins, Marcus Miller, James McLeod and Darryl Sullings.</p> <p><u>Apologies:</u> Marine Protected Area Officer from the Department of Environment and Climate Change (DECC) Michael Piontek (A/DFO, Lobster Compliance).</p>
1(b). Agreement on agenda	Agreement on agenda with the correction of agenda item 1a – remove paragraph referencing the newly appointed recreational fishing representative.
1(c). Confirmation of Draft Minutes	The LobMAC confirmed the Final Draft minutes (Appendix A) from the previous meeting as being a true and accurate record of the 28-03-2007 LobMAC meeting.
2. Correspondence received and sent	<p>Correspondence received and sent was noted by LobMAC.</p> <p>The Committee noted correspondence between Ron Firkin and the Australian Communications and Media Authority regarding the exemption to lobster trapping in submarine cable protection zones around Sydney.</p>
3. Business arising from the previous meeting	<p>The Committee noted the current status on action items with the following comments:</p> <p>(3) The apologies received from DECC.</p> <p>(4) Amend status to "complete" as it was agreed that lobster fishers use minimal rope as required. This</p>

Agenda Item	Outcome
	<p>agreement has been placed into the Lobster COP under condition 10.</p> <p>(11) Industry representatives expressed their concern at the impact of large cargo vessels on the destruction of lobster fishing gear and requested that the letter to the Commonwealth Minister for Infrastructure, Transport, Regional Development and Local Government be expedited.</p> <p>(18) Amend to "complete". Compliance Officers will formally call fishers if lobster traps have been inspected.</p> <p>It was noted that completed action items would be removed from the list.</p>
4. Update on TACC 2008/09	<p>DPI Management, Research and Compliance provided the LobMAC with an overview of the information that is to be submitted to the TAC Committee for their 2008/09 deliberation. The LobMAC noted that figures given in the presentation may be subject to change as the reports are updated.</p> <p>The LobMAC provided comments to the following reports:</p> <p><i>Management Report Presentation</i></p> <ul style="list-style-type: none"> - The Committee recommended highlighting the estimated value (approximately \$6 million) of the lobster fishery primarily due to an increase in the TAC and average weighted beach price. - That the previous 4 fishing periods be included into the "Accumulation of Catch" graph. - That an additional curve identifying the total costs per share (incorporating the environmental assessment charge and the management charge per share) be included into the "Management Charge" graph. <p><i>Lobster Resource Assessment Presentation</i></p> <ul style="list-style-type: none"> - The Committee was provided with a paper summarising the key points that are to be included into the Lobster Resource Assessment. - Industry representatives noted the close relationship between their personal observations of the fishery, the results of analyses of logbook and survey data that were presented. In particular, the LobMAC noted another increase in CPUE during the 2006-07 season, continuing evidence of increasing abundance of spawning stock and good catch rates from the deepwater fishery on the north coast of NSW during 2006-07 fishing period and the current season. - The LobMAC also noted evidence from the survey of puerulus abundance that recruitment of lobsters to the fishery (at 104 mm CL) was likely to be less than average along the NSW coast during 2008-09. - The LobMAC underlined the importance of providing the TAC committee with up to date information about catches from the current (2007-08) season at their April meeting.

Agenda Item	Outcome
	<p><i>Compliance Report Presentation</i></p> <p>- The Committee questioned the quantity of lobster reported as seized in 2006/07, as it was believed that an additional 450 lobsters were seized by Compliance Officers.</p>
5. Proposed Regulation amendments	<p>Action: It was agreed that proposed objectives, performance indicators and trigger points in the Lobster Share Management Plan will be considered out of session.</p> <p>The LobMAC supported the following proposed amendments to the <i>Fisheries Management (Lobster Share Management Plan) Regulation 2000</i> as listed in the agenda:</p> <p>Clause 2 – Definitions</p> <p>Clause 6 – Maximum shareholding to increase to 40% of total shareholding</p> <p>Clause 7 – Dealings in shares</p> <p>Clause 8 – Special provisions relating to share transfers</p> <p>Clause 10 – Nominated fishers</p> <p>Clause 13 – Nominated fisher to notify shareholders of an alleged offence</p> <p>Clause 15 – Determination of quota</p> <p>Clause 18 – Transfer of quota</p> <p>Clause 31 – Returning of unused tags within 7 days</p> <p>Clause 40 – Byproduct retention. The Committee supported the retention of byproduct species in lobster traps set in waters greater than 10 metres provided the fisher is endorsed with an Ocean Trap and Line demersal fish trap endorsement and their actions are otherwise consistent with the requirements of the OTL SMP.</p> <p>Clause 42 – Storage of live rock lobsters. The Committee also supported requiring endorsement holders to validate the weight of any lobsters that are to be "penned" (amendment to the daily catch logsheet) to uphold the integrity of the quota management system.</p> <p>Clause 47 – Limited use of unauthorised crew</p> <p>Clause 49 – Monthly reconciliation</p> <p>Proposed new clause – Prohibited implements</p> <p>Proposed new clause – Placing current licence conditions into Plan.</p> <p>Clause 40 – Trap marking - The Department to further consult with LobMAC out of session regarding the marking of lobster traps.</p>

Agenda Item	Outcome
6. Marine Park Issues	<p>The LobMAC noted the apologies received from DECC regarding their attendance at this meeting. The meeting discussed the ongoing difficulty with regard to attendance of a Marine Park representative at a LobMAC meeting despite multiple requests from LobMAC.</p> <p>The LobMAC noted that the Jervis Bay and Solitary Islands Marine Parks are due to be reviewed shortly and input from LobMAC was essential.</p> <p>Action: The Chairperson to send a letter to DECC expressing disappointment with the lack of direct consultation with LobMAC in relation to the development of marine parks in NSW. Furthermore, it will be requested that a DECC officer attends the next LobMAC meeting to explain and clarify the numerous processes associated with implementation of a Marine Park.</p>
7. Updates: (a) Research (b) Management (c) Compliance	<p>The LobMAC noted updates from Research, Management, Compliance</p> <p>The LobMAC supported the ongoing value of the current research and monitoring projects, which is the fishery-independent surveys of the abundance of pueruli and spawning stock, an observer survey of the catch and by-catch of the commercial fishery, the analyses of logbook catch and effort, and modelling assessment of the fishery.</p> <p>The 2008/09 draft budget was presented at the meeting. The Committee supported in principle the proposed level of resources in the 2008/09 draft budget and proposed management work program. Industry representatives again noted their dissatisfaction with the current policy on cost recovery and the subsequent impact on their overall viability.</p> <p>The Committee was advised that DPI are currently considering revised economic indicators to be included in the Plan and a cost effective mechanism for obtaining and analysing economic information.</p> <p>Action: The Minister be advised of Industry's concern with regard to the current cost recovery policy and their request for further subsidies to alleviate the impact on viability.</p> <p>The Committee was advised that some fishers are not completing their logbooks correctly and this may have an impact on the quality of advice used in the stock assessment process.</p>

Agenda Item	Outcome
(d) Industry	<p>Action: In June 2008, when the initial quota allocation notices for the 2008/09 fishing period are being issued, the Department is to include a notice reminding fishers to amend all references in their catch reporting logbooks from 200mm to 180mm.</p> <p>Compliance highlighted the timeframes requirements (7 days) for submitting daily catch records. All Lobster share and endorsement holders have been reminded via recent correspondence of catch reporting requirements.</p> <p><i>Tags</i> A potential new supplier has provided tags for consideration. Action: Industry to trial tags (including cooking lobsters) and advise Lobster Management ASAP.</p> <p><i>Habitat Protection and Impacts of Trawling</i> Concerns were raised from LobMAC industry representatives regarding the impacts of trawling on the benthic ecosystem and how trawl operators are expanding their grounds. It was noted that the EIS and FMS process for the trawl fishery has been approved and requires the trawl fishery to map trawling grounds. Similarly the lobster FMS requires the mapping of major lobster grounds. When maps have been prepared for both fisheries, specific areas of concern can be addressed appropriately. In the interim it was suggested that fishers work together at the local level to resolve issues as has worked in the past. DPI is available to facilitate such meetings.</p> <p>Action: LobMAC to consult with shareholders with the aim of mapping grounds.</p> <p>Action: LobMAC and/or shareholders to develop communication lines with local Trawl Operators to resolve conflict issues.</p> <p><i>Compliance concerns</i> Industry representatives highlighted the importance of continuity of a dedicated compliance officer in the lobster fishery in order to build and maintain professional relationships between the compliance branch and industry.</p> <p><i>Report on Cairns Lobster Congress</i> LobMAC representatives attending the Lobster Congress in Cairns last year provided a verbal update. It was noted that the current management charges issued under the NSW Government policy on cost recovery are deterring industry representatives from holding future congresses in NSW.</p>

Agenda Item	Outcome
	<p><i>Electronic release mechanism for lobster traps</i> A verbal update was provided on potential new technology for releasing trap floats. It was noted that the acoustic electronic release mechanisms could help mitigate theft and ghost fishing in lobster operations. Currently, costs of purchasing the release mechanisms are obstructing investment from industry. Industry representatives advised that they would offer increased support to the FRDC project on ghost-fishing if it included a component in which the utility of electronic acoustic release devices was examined. Industry representatives suggested that a meeting consisting of Industry, DPI and FRDC representatives be arranged to discuss modification of the existing FRDC proposal.</p> <p>Action: Letter from Industry representatives to FRDC requesting a meeting with a FRDC representative (and DPI representatives) to discuss variations in the existing FRDC “ghost fishing” proposal to include appraisal of electronic acoustic release mechanisms as a means of mitigating ghost fishing and theft of traps.</p> <p>Action: Industry representatives to invite representatives of FIOMarine to a meeting with representatives of Industry and DPI to discuss future use of the release mechanism they are developing.</p> <p><i>SIAC</i> The LobMAC was verbally advised of agenda items for the SIAC meeting scheduled for 29 February.</p>
8. Other business	Background information on the MAC election and nomination process was provided to the LobMAC. The LobMAC requested that for future ballots, a short profile on nominees is prepared for Industry to assist shareholders in determining their preferred candidate - this could be included in the RIC newsletter.
9. Chairperson’s summary	The Chairperson thanked all members and observers for attending and contributing to the meeting. Meeting closed 4pm.



MEGA FORTRIS AUSTRALIA

A.B.N. 48 118 019 837

23 February, 2009

N.S.W. Department of Primary Industry (Fisheries)

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Further to our recent discussions, I am pleased to offer you this quotation for the supply of your Numbered Laser Engraved Lobster tags for 2009 / 2010 season.

Proposal # MFA 000203mt - amended

Quantity	Product	Price
150,000 +	Customised SP Fast Seals 8" "Lobster Tags" (Yellow)	\$ 210.00 per 1,000

- The above price includes double printing (front and back) "Sustainable Fishing".
- All Seals will be packed in bundles of 50 seals, numbered from left to right, in full mats of 10 seals – without tape, secured with a removal PVC coated metal twist wire – NOT cable ties,
- All Seals will be Numbered from 670,001 – 820,000 and Logo'd "NSW DPI" + coat of arms as required using our accurate Laser Engraving Techniques,
- All Seals are made from "Food Grade"(PP) Plastic and Rust Free Stainless Steel metal insert,
- Guaranteed Free Delivery to your Cronulla offices by end of May 2008.

All Prices are + 10 % GST, where applicable.

Delivery of the above goods would be approximately 8 weeks, **(May 2009)** from receipt of your firm purchase order and artwork approval will be sent to you to sign off on, to ensure you receive the highest quality print text.

The above quotation is valid for 30 days and may need to be requoted outside of this period. The Terms of Credit with Mega Fortris Australia Pty Ltd are 30 days from date of invoice.

Please note that all customised orders must be accompanied by an official company Purchase Order. All custom goods purchased in part or in whole are non-refundable in the event of a cancellation.

Should you require any further information or pricing, please do not hesitate to contact me.

Kind regards,
 Mick Taylor
 General Manager NSW
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Appendix C

Approved Lobster Share Management Fishery Budget 2008-09		
Management	Manager 6/8 (0.50)	\$39,986.00
	Management Officer 3/4 (1.0)	\$58,969.00
	Salaries	\$98,955.00
	Oncosts (23.35%)	\$23,105.99
	Total Salaries	\$122,060.99
	Overheads (48%)	\$47,498.40
	Travel - Other	\$3,000.00
	Freight, Cartage and Postage	\$1,500.00
	Telephone - Mobile	\$200.00
	Printing - General	\$3,000.00
	IT lease	\$1,000.00
	Stores - Consumables	\$500.00
	Tags	\$47,500.00
	Total Operating	\$56,700.00
MAC	Sitting Fees	\$6,000.00
	Fees General	\$1,500.00
	Travel	\$8,816.00
	Travel - MV Employee Expenses	\$1,024.00
	Total Operating	\$17,340.00
Fisheries Research	Research Scientist (0.80)	\$76,960.00
	Fisheries Technician Gr3 Yr3 (1.0)	\$64,270.00
	Fish Technician Gr 2 (1.0 FTE)	\$27,051.00
	Casual Temp	\$11,960.00
	Salaries	\$180,241.00
	Oncosts (23.35%)	\$42,086.27
	Total Salaries	\$222,327.27
	Overheads (48%)	\$80,774.88
	Travel / Motor vehicle running costs	\$36,309.00
	Rent/Cleaning/Security/Electricity	\$11,530.00
	Freight, cartage, postal expenses	\$1,000.00
	Boat Charter	\$49,800.00
	Fees General/Rewards/ Contractors	\$5,000.00
	Printing	
	Telephone Mobile	\$660.00
	IT lease and software	\$4,016.00
	Stores / Purchase of Fish	\$17,200.00
Total Operating	\$125,515.00	
Compliance	DFO	\$79,758.00
	Overtime	\$8,000.00
	Salaries	\$87,758.00
	Oncosts (23.35%)	\$20,491.49
	Total Salaries	\$108,249.49
	Overheads (48%)	\$51,959.76
	Travel	\$12,000.00
	Motor Vehicle	\$20,000.00
	Marine Craft Running	\$5,165.00
	Fees General	\$1,200.00
	Telephone	\$3,000.00
	IT	\$2,200.00
	Stores consumable	\$1,500.00
	Stores/Uniform	\$500.00
Total Operating	\$45,565.00	
	Total Expenses	\$877,990.80
(Outsourced)	Department Contribution (Savings)	\$144,597.46
	Recreational (Savings at 14.3%)	\$104,875.25
	Marine Park (Savings at 5%)	\$36,669.67
	Adjustment from 07/08	\$36,745.11
	Credited funds raised from quota transfers	\$16,016.00
	FRDC Levy	\$12,756.00
	Total Industry Contribution	\$551,843.31
	Management Charge per Share (9727)	\$56.73