

OUTCOMES from Lobster Industry Working Group meeting held on 26 June 2012

Agenda Item	Outcome
1. Welcome, apologies and introductory remarks	<p>Meeting started at 9am</p> <p><u>Attendance:</u> Belinda Lucas (Facilitator), Noel Gogerly, Lee Monin, Peter Offner, Daniel Stewart, Scott Westley, Geoff Liggins, Stuart Nelson and Doug Ferrell (part attendance).</p> <p>Michelle Yerman (Secretariat).</p> <p><u>Apologies:</u> Oliver Wady, NCC Representative</p> <p>The following changes to the Agenda were noted:</p> <ul style="list-style-type: none"> • Stuart Nelson, Fisheries Officer - Post Harvest was attending in place of Robert Peever, Investigator Special Operations, Lobster • As Doug Ferrell, Manager Resource Planning was only able to attend the meeting for a short period of time, it was decided to discuss Agenda item 7 regarding the consultative arrangement with industry following the Independent review of commercial fisheries policy, management and administration after agenda item 4 – Action items from previous meeting.
2. Correspondence received and sent	The correspondence received and sent by the group was noted.
3. Confirmation of final minutes from the LIWG meeting held on	The LIWG members confirmed the Final Draft minutes from the LIWG meeting held on 7 April 2011 as being a true and accurate record of the meeting.
4. Business arising from previous meetings	<p>The LIWG noted the current status of action items.</p> <p>Action item:</p> <p>3. Industry requested updated advice from compliance regarding a reward system for reporting information of illegal fishing activity. Compliance will provide an update at the next meeting.</p> <p>4. Industry reiterated that it was imperative that NSW Fisheries compliance maintain a presence at fishing tournaments, particularly in the Port Stephens area. Concerns were raised about boats running out through the head and across the trap grounds and it was suggested that NSW Fisheries address tournament participants on the night before tournaments and additional materials could be distributed entrants advising them of relevant considerations and legislation. Compliance will provide an update at the next meeting.</p>

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<p>5. Update on the Total Allowable Catch setting and Review Committee (TAC Committee) program for 2012/13</p>	<p>The LIWG was provided with an overview of the information that is to be submitted to the TAC Committee from DPI Management, Compliance, and Science and Research for their deliberations on the 2011/12 TACC.</p> <p><i>a) Management</i> LIWG representatives were provided with an overview of the management submission to the TACC.</p> <p><i>c) Compliance</i> LIWG representatives were provided with an overview of the Compliance submission to the TACC.</p> <p>Industry members from mid to upper north coast advised compliance that lobster traps have been disappearing from fishing grounds. Compliance noted this information.</p> <p>Industry requested confirmation that fishers would be notified if and/or when their traps were taken for compliance operations. Action: NSW DPI Compliance to investigate relaying information back to commercial fishers in a timely manner if lobster traps were removed from fishing grounds due to compliance operations.</p> <p><i>c) Research</i> LIWG representatives were provided with an overview of the information that is to be submitted to the TAC Committee.</p>
<p>6. Management Charges for the Lobster Fishery</p>	<p>NSW DPI Management provided an update on the current management charges for 2012/13.</p> <p>The management charge for 2012/13 is \$49.32 per share. This is an increase \$5.11 per share from the previous fishing period, largely attributable to a change in the proportion of research salaries being requested.</p>
<p>7. Consultative arrangement with industry following recommendations from the Independent Review of Commercial Fisheries Policy, Management and Administration.</p>	<p>Doug Ferrell, Manager, Resource Planning spoke about the recommendations from the Independent Review of Commercial Fisheries Policy, Management and Administration. One of the recommendations was to replace the current Management Advisory Committee (MAC) with selected expertise based advisory committees or task based working groups to advise the Executive Director, Fisheries, with membership determined via a nomination from interested persons and not by election. The Department noted that prior to the meeting and after consultation with former and current LOBMAC industry representatives, industry proposed that the Lobster Industry Working Group should consist of regional industry representatives and representatives from both conservation and recreational stakeholder groups. The future meetings were to be facilitated by the Lobster Manager.</p> <p>Action Item: Industry representatives requested that a letter of appreciation be sent to the former Chairman of LOBMAC, Alan Dodds thanking him for all his valuable contribution to the commercial Lobster fishery in NSW.</p> <p>During the meeting both industry representatives and departmental staff agreed that the Lobster Industry Working Group</p>

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	<p>should in fact become a Lobster Fishery Advisory Committee which would be established for a longer term (3 years) and provide ongoing stakeholder advice on Lobster fishery related matters.</p> <p>Please see attached proposed composition of the NSW Lobster Fishery Advisory Committee including criteria for selection. It is proposed that all current representatives on the Lobster Industry Working Group will continue their term for another 3 years.</p> <p>Action Item: A terms of reference would need to be established and approved by the Executive Director, Commercial Fisheries before the committee becomes active. The department is currently drafting a policy on all working groups and other advisory structures and specific Terms of Reference for the Lobster fishery will need to take this into account when being finalised.</p>
8. Aboriginal Fishing Interim Compliance Policy	<p>Mika Malkki, Manager Licensing and Policy provided a brief overview of the background of the interim policy and also provided an update of the perceived way forward. The current interim compliance policy (amended in Dec 2011) allows an Aboriginal person to take double that of the prescribed recreational bag / possession limit (other than for abalone, for which the extended limit is 10) to provide for cultural needs where elders, the incapacitated, or other community members are unable to fish for themselves. This means the limit for lobster is four and is on the basis of the individual's limit, not an accumulated limit of people that the fish are being provided for.</p> <p>The department has sought feedback on the amended policy and noted that the Lobster Industry Working Group representatives submitted a response advising the department of their strong disappointment in the consultation process that was undertaken when amending the interim policy.</p> <p>The proposed way forward is the establishment of a wider stakeholder reference group to further develop Aboriginal Fishing policies.</p>
9. Proposed zoning scheme for the final Temperate East Commonwealth marine reserves network proposal,	<p>The Proposed zoning scheme for the final Temperate East Commonwealth Marine Reserves network proposal was released 14 June 2012. Martin Russell from Department of Sustainability, Environment, Water, Population and Communities was invited to the upcoming meeting to provide an update but was unable to attend.</p> <p>Of particular interest to the Lobster fishery are the zoning plans for the Hunter Commonwealth Marine Reserve. In the draft zoning plans, the body of water from the existing marine reserve out to 1000m offshore was classified as a Multi-purpose zone which signified that demersal gillnet (including set mesh nets), demersal longline (including auto longline, set dropline, bottomset trotline), danish seine and demersal trawl activities were not allowed in the area.</p> <p>This has now been changed and the previously mentioned fishing activities are allowed.</p> <p>The following concerns were raised to Martin Russell via an email on the 18.5.2012 and again by industry stakeholders at the meeting.</p> <ol style="list-style-type: none"> 1. demersal trawling will have a detrimental effect on the habitat and therefore the lobster spawning stock that utilise

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	<p>this environment and;</p> <p>2. the potential increase in loss of Lobster traps due to high vessel activity within the zone.</p> <p>Action Item: The Department will request comment by the conservation representative on this matter and information will be provided back to the Working Group OOS.</p>
10. Lobster Fishery Offences	<p>Clarification was sought on the onus of responsibility on shareholder and/or endorsement holder for Lobster related fishery offences. The Lobster Fishery operates under the <i>Lobster Share Management Plan Regulation 2000</i> which contains both endorsement holder offences and shareholder offences. There are also demerit point offences that can lead to share forfeiture if the shareholder reaches or exceeds 6 points.</p> <p>Outcome: Noted</p>
11. Catch and Effort Reporting	<p>A letter was sent in May 2012 to both Lobster shareholders and endorsement holders reminding them of the following:</p> <ol style="list-style-type: none"> 1. The legal requirement to make, keep and provide records of catch as prescribed under the <i>Fisheries Management Act 1994</i>. 2. It is a condition of their commercial fishing endorsement as prescribed under the <i>Fisheries Management (Lobster Share Management Plan) Regulation 2000 (Clause 49 (3) & (4))</i> to provide disposal information monthly and daily logsheets must be forwarded to the department with 48 hours after the end of the day of each fishing activity. 3. Failure to do either is an endorsement holder offence. <p>Compliance were been given the details of fishers who are in contravention of the above clauses within the <i>Fisheries Management (Lobster Share Management Plan) Regulation 2000</i>, and they will be contacting those fishers directly.</p> <p>The department also reiterated that Nil Fishing activity reports are required when no fishing activity has been undertaken in a month, which includes shareholders who have utilised their quota early in the season or have leased out their quota. Departmental reporting will continue on a monthly basis to provide updated compliance information.</p> <p>Outcome: Noted</p>
12. Weights on ropes and gear marking	<p>At the last LIWG meeting held 7 April 2011 industry recommended the removal from the regulations of the requirement for a weight on ropes for lobster fishers when fishing in waters within 10 metres in depth. Industry deemed this requirement to be dangerous, in shallow water near rocks and breaking waves and considered a floating rope length of 2m above high tide was an appropriate solution.</p> <p>The requirements relating to the marking of set fishing gear and trap ropes are issues that will be subject to broad industry consultation as part of the Pymont Pact regulation streamlining process. Like the penalty points issue, there is significant benefit in striving for consistency in the requirements across fisheries, and there are risks in locking in a different system for lobster in advance of that discussion.</p> <p>Despite this, comments have been received from NSW Maritime on the lobster trap matter in the interim. Maritime agreed that It might be appropriate to allow the floating rope in very close (say within 20 metres of the shore or white water) - as</p>

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	<p>passing vessels would normally not be in this close, and this is where the ability to retrieve traps quickly is most important. A paper was also sent to members of the Advisory Council on Recreational Fishing as an OOS item. Only one response was received and this was in agreement of allowing a floating rope length of 2m above high tide when fishing in waters less than 10 metres in depth.</p> <p>Both the Australian Professional Ocean Lifeguard Association Inc (APOLA Inc) and The Australian Lifeguard Service Australia have been approached for comment. Although the past President of APOLA verbally supported the proposal, the Department is waiting a formal response.</p> <p>Outcome: It was noted by industry representatives that this change would be part of the broader industry streamlining process.</p>
<p>13. Trap time release mechanisms in waters less than 10 metres in depth.</p>	<p>An industry representative queried whether under the <i>Fisheries Management (Lobster Share Management Plan) Regulation 2000</i> traps are allowed to be fitted with time release mechanisms when used in waters less than 10 metres in depth.</p> <p>Outcome: Under the <i>Fisheries Management (Lobster Share Management Plan) Regulation 2000</i> -There is no clause that restricts the use of time release mechanisms in waters less than 10 metres in depth. However fishers are reminded that this does not include any waters otherwise closed to commercial fishing or waters where lobster traps are not permitted.</p>
<p>14. Discussion of OOS expenses incurred for Lobster industry specialist to attend industry meetings.</p>	<p>Mr Darryl Sykes, Executive Officer of NZ Rock Lobster Industry Council has attended previous meetings regarding the NSW Lobster fishing industry. Travel to these meeting has been paid for by representatives from the Lobster stakeholders. At the meeting industry representatives recommended the opening of an expense account to be used to pay specific expenses as agreed with the broader lobster industry stakeholders.</p> <p>Outcome: A letter will be drafted by industry working group representatives explaining about the industry fund. As the department is unable to release addresses of shareholders due to privacy concerns once the letter has been drafted, industry will send to DPI for distribution to all shareholders.</p>
<p>15. Other business</p>	<p><u><i>Industry-extension of acoustic release technology for at-call access to submerged head-gear in the NSW rocklobster fishery – FRDC R&D Funding Application</i></u></p> <p>Geoff Liggins, Supervisor, Scientific Services presented a brief overview of the project which would include the following objectives:</p> <ul style="list-style-type: none"> • Install Desert Star ARC-1XD acoustic release system and integrate with on-board electronics on at least 3 vessels in the NSW lobster fishery • Provide training and support in the use and maintenance of the system for fishers who adopt this technology in 2012-13 • Produce documentation (manuals, diagnostic & problem-solving tools) covering installation, use and maintenance of the system • Broker changes/improvements to the acoustic release system's hardware, firmware and software with the manufacturer • Monitor the performance of acoustic release systems implemented in the NSW lobster fishery

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	<p>The NSW lobster industry representatives have previously endorsed the “Study of ghost fishing in the NSW rock lobster fishery” project and the cash contribution made to that project. The final report is due in November 2012. The current project was discussed with representatives and they formally endorsed the project and the \$20,000 cash contribution.</p> <p>Outcome: Approved. A letter of endorsement will be forwarded to FRDC.</p> <p><u>Lobster tags for the 2012/13 fishing period</u> – 150,000 tags have been ordered from Mega Fortris Australia Pty Ltd at a price of \$175 + GST per thousand which is the same price as last year. This is a total of \$26,250 excluding GST. The tags will be white with bold black text and white inserts</p> <p>At the meeting industry representatives requested that the tag numbers be reduced to single digits for ease of reporting. The department advised that this option had already been explored but was unable to be delivered due to limitations within the Fisher Assist program.</p> <p>Outcome: Noted</p> <p><u>8th Rock Lobster Congress – Sydney 2013</u> – Scott Westley and Peter Offner advised that pre-emptive measures were underway to hold the 8th Rock Lobster Congress on 1-3 September 2013 at the Sydney Harbour Convention Centre, Darling Harbour. Further details would be available in the near future.</p> <p>Outcome: Noted</p>
16. Meeting Close	The department thanked all participants for attending the meeting and closed the meeting at 4.30pm.