

FINAL OUTCOMES, OTLMAC, 5 APRIL 2006.

Agenda Item	Outcome	Action	Time	Responsibility
Welcome and Apologies	<p>The Chairperson welcomed all members and observers to the meeting.</p> <p>Apologies – Megan Kessler (NCC Representative) Matthew Creek (Line Fishing (Eastern Zone) Representative) Matthew Field (DPI Compliance Representative)</p> <p>Welcome Roberta Dixon (NCC - attending on behalf of Megan Kessler). Paul Porter (new Spanner Crab Representative)</p>			
Agenda	<p>SIAC and share management updates (Agenda Item 9 – Management Update) to be provided prior to Agenda Item 2 Draft Ocean Trap and Line FMS. Share management update may incorporate discussion regarding boat upgrade proposal and maximum shareholding Agenda Items 3 and 4.</p> <p>The Committee agreed on the agenda as amended.</p>			
Draft Minutes	Draft minutes of 27 October 2005 accepted as a true and accurate record.	Minutes and Chairperson's summary from February meeting regarding EIS / SIS to be finalised and distributed.		NSW DPI and Chairperson
Correspondence	<p>The Committee noted correspondence received and sent.</p> <p>The Chairperson advised receipt of correspondence, 25 October 2005, regarding the Stevens Review and a request for input into that review. It was noted that the correspondence went to the Chairperson only. The</p>	One page summary on the Stevens Review to be supplied to OTLMAC.		NSW DPI

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	<p>Review is now complete and publicly available.</p> <p>The Chairperson noted that he has not yet received a response to his letter to the Minister regarding marine park buyouts.</p>			
<p>1. Business arising from previous minutes</p>	<p>Outstanding Items</p> <ul style="list-style-type: none"> ▪ 10/11 March 2005, item 6. Department to be provided with information regarding trapping coordinates for the Spirit of Tasmania. ▪ 11 October 2004, item 2. It was noted that this report is yet to be completed. Members were advised that further input may be required from Industry on this issue. 	<p>Trapping coordinates to be provided</p> <p>Letter to Spirit of Tasmania to be drafted advising of fishing grounds (lobster and fish trap).</p>		<p>Demersal fish trap (south) representative</p> <p>NSW DPI</p>
<p>2. Departmental Update: Seafood Industry Advisory Council meetings and Share Management Implementation</p>	<p>SIAC update</p> <p>The Committee was provided with a written update of first three SIAC meetings and a verbal summary on the December 2005 and March 2006 meetings.</p> <p>An overview of the four working groups (formed under SIAC) was presented including the issues currently being considered by the working groups:</p> <ul style="list-style-type: none"> ▪ Reviewing fees and charges across government in an attempt to rationalise fee structures and administration, and attempting to identify duplication of charges across government departments, ▪ Structural adjustment - where any adjustment should be focused, options for achieving adjustment including the identification of funding sources. 			

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	<p>The Committee's SIAC representative felt that there were limited options regarding structural adjustment presented to SIAC.</p> <p>A draft 10-year restructure program for industry was presented to the Committee and discussed. Aspects include the identification of target levels of effort (fishing businesses) within a fishery and tools to achieve these levels including introduction of a minimum shareholding of 40 shares for all fishers to be reached within 2 ½ years from the commencement of the management plan.</p> <p>The Committee was briefed on the "Exit Grant Scheme" shareholder upon the sale of all shares and exit from the industry.</p> <p>"Effort proxies", where effort is linked to share holdings such as the proposed "nights" scheme in the ocean trawl fishery or trap numbers in the ocean trap and line fishery were highlighted as being complementary to the above scheme.</p> <p>The Committee agreed outcomes from SIAC meetings need to be distributed more effectively. The Committee requested that the outcomes from SIAC meetings and working group meetings be provided to MACs and industry.</p> <p>Marine Parks The Committee raised strong concerns regarding marine parks and the impact of their implementation on the viability of fishers. Industry are concerned that sanctuary</p>	<p>Chairperson to write a letter to SIAC regarding the current formula used to determine the 'buyout' value of a fishing business.</p> <p>Members were asked to consider potential effort proxies for this fishery to assist the structural adjustment working group in formulation of proposals</p> <p>SIAC and working group minutes to be circulated.</p>	<p>ASAP</p>	<p>MAC</p>

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	<p>zones are the most productive areas within the marine park boundaries, and believe that even though sanctuary zones may only make up, for example approximately 12% of Cape Byron MP, it equates to 97% of the productive areas used by commercial fishers.</p> <p>The Committee agreed that the amount of effort needed to be bought out for marine parks should be reconsidered. The Committee recommend at least 95% of commercial effort operating in a MP be bought out due to the amount of productive areas closed to commercial fishing.</p> <p>In addition the Committee recommended the shift of recreational fishing effort to other areas resulting from the introduction of sanctuary zones within a marine park be addressed. If this issue is not addressed the Committee questions the removal of commercial fishing effort within a marine park only to have it replaced by increased recreational effort.</p> <p>The Chairperson stated that the Committee is an advisory body to the Minister focusing on the management of the fishery. The Committee has previously advised the Minister of their concerns regarding the implementation of marine parks the impact on the viability of industry.</p> <p>Share Management The Committee was advised of the time frame for the implementation of the final stage of share management and share management plans. The share management plans will include current rules, objectives, goals and</p>	<p>Industry request for representative from Fisheries Management Branch to be present at consultation meetings for Marine Parks.</p>		<p>NSW DPI</p>

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	<p>performance indicators for the fishery; and share trading rules. Licensing type rules such as the fishing business card, eligibility to a commercial fishing licence etc will remain in the general regulation for the time being. Share forfeiture provisions will be implemented through regulation while the demerit point scheme will be implemented through policy. New initiatives arising from the EIS process and general rationalisation of regulation will occur at a later stage.</p> <p>Industry members queried a fishers' liability when Fisheries Officers board boats, particularly regarding safety in rough weather and limits on number of crew permitted to be on board.</p> <p>The Committee discussed quota management for the spanner crab fishery. The Department advised that shares in this fishery were allocated based on catch history and this would assist with a quota management regime. A review of the costs and benefits of such a regime would need to be completed to determine if quota management was a viable option. The Committee recommended that such an analysis be undertaken.</p> <p>The Committee again rejected the share forfeiture provisions proposed to be included in the share management plan for the fishery, and recommended a licence cancellation provision be adopted in its place for the fishery.</p>	<p>Department to clarify.</p> <p>Spanner crab sub-committee to meet to discuss options for quota management.</p>		<p>NSW DPI</p> <p>NSW DPI</p>

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<p>3. Draft Ocean Trap and Line Fishery Management Strategy – progress on proposed management responses.</p>	<p>Development of a Code of Practice for the OTL Fishery</p> <p>The Committee recommended the following:</p> <ul style="list-style-type: none"> ▪ Endorsement initials (eg W for a line fishing (western zone) endorsement) be marked on the licensed fishing boat with the LFB number to assist in determining methods the fisher is endorsed to use and the letters OG1 marked if the fishing boat is endorsed to work outside 3 nautical miles. ▪ Update the draft with respect to the use of wire trace on bottom setlines. <p>Following recommended amendments the Committee supported the draft Code of Practice.</p> <p>Collection of Information on Interactions with, or Sightings of, Threatened or Protected Species.</p> <p>The Committee noted the threatened species reporting form and identification guide. The Committee was advised that threatened species reporting has already been implemented in the EG, OH and EPT Fisheries.</p> <p>Development and Implementation of Recovery Programs</p>	<p>Complete draft Code of Practice to include recommendations by the Committee.</p> <p>The Committee to consider out of session the possible content of a recovery program for snapper and gemfish.</p>	<p>Next MAC meeting</p>	<p>NSW DPI</p> <p>MAC members</p>
<p>4. Alternative Boat Upgrade proposed by Industry</p>	<p>The Department noted the proposal provided by industry members of the Committee. The Department presented an alternative that was supported by the Committee –</p>			

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<p>Members of the Committee</p>	<ul style="list-style-type: none"> ▪ Maximum vessel length of 16 metres in the fishery. ▪ Boats in excess of 16 metres currently in operation in the fishery may continue to operate. ▪ Maximum boat length identified for each fishing boat licence to be documented on the relevant licence (incorporating the current Departmental upgrade policy of 10% or 1 metre). ▪ Fishers are able to replace their existing boat up to the maximum boat length documented on their fishing boat licence, OR ▪ If a fisher wants to upgrade beyond the maximum boat length on his/her current fishing boat licence they may purchase any fishing boat licence to a maximum of 16 metres in the OTL Fishery. <p>The Committee requested that the Department consider whether those LFBs upgraded under the tuna boat upgrade policy need to come back to their original boat length (or maximum boat length in the fishery) upon boat replacement or transfer of the fishing boat licence.</p>	<p>Review fishing boat licence trading arrangements with respect to LFBs upgraded under the tuna boat upgrade policy.</p>		<p>NSW DPI</p>
<p>5. Clarification regarding maximum shareholding in the OTL Fishery</p>	<p>Industry members stated that the maximum share allocation and share holding were to be 40, creating a level playing field once all fishers got to 40 shares. Industry members believe this situation will make any future restructuring in the fishery more straightforward.</p> <p>The Department advised that the maximum share allocation with respect to each share class in the fishery was 40 shares. However, this is not the maximum shareholding permitted for each share class.</p>			

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	<p>The Committee noted that if a fisher amalgamated two small fishing businesses prior to implementation of share management that fisher would have only received 40 shares. However if a fisher amalgamated two small packages (25 shares) after implementation of share management that fisher would receive 50 shares.</p> <p>The Committee discussed proposed share trading rules upon implementation of the share management plans. The Department raised the possibility for trap numbers / limits to be aligned with shares, i.e. effort proxies.</p>			
<p>6. Management arrangements for sharks</p>	<p>The Committee did not support the introduction of a restricted fishery for sharks at this stage, noting the time frame for implementation of full share management. The Committee also noted that the OTL fishery was a multi species fishery and industry may not want to lose the opportunity to operate flexibly.</p> <p>The Committee supported the introduction of a 1 tonne trip limit (minimum 'trip' period of 24 hours).</p>	<p>Distribution of advice to all OTL fishers regarding the proposed trip limit.</p>	<p>ASAP</p>	<p>NSW DPI</p>
<p>7. Batemans Shelf Marine Park</p>	<p>See above discussion Agenda Item 1</p>			
<p>8. Interference with commercial fishing gear</p>	<p>The Committee recommended that the issue be raised at the next meeting of the Advisory Council of Recreational Fishing.</p>	<p>To be proposed as an agenda item at the next meeting of ACoRF.</p>	<p>Next ACoRF meeting</p>	<p>NSW DPI</p>
<p>9. Long term monitoring of the shared NSW-QLD spanner crab stock</p>	<p>Presentation by Scientific Officer, James Scandol, provided on the assessment of the spanner crab fishery (QLD / NSW differences in research approach).</p> <p>The Committee discussed the QLD quota setting arrangements, based on catch rates.</p>			

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<p>10. Departmental Update: Research and Management Planning</p>	<p>Research Update Written summary provided.</p> <p>The Committee was advised:</p> <ul style="list-style-type: none"> ▪ The final report of the FRDC project on Mulloway has been released. ▪ Resource Assessment Workshop held last month regarding commercially targeted species in NSW. <p>Management Planning Update EIS/FMS public exhibition time frame advised. Encouraged submissions from industry. Next stage in the process is the development of preferred strategy report (upon completion of public exhibition stage).</p>			
<p>11. Other business</p>	<p>Other business <u>Definition of circle hooks</u> Industry members of the MAC do not support the implementation of circle hooks as defined in the draft FMS (draft FMS prohibits circle hooks that are offset) and instead support the use of a circle hook that can be offset.</p> <p>The Committee noted that during the development of the OTL EIS (including the draft Fisheries Management Strategy) and discussions regarding circle hooks, the word offset has not been mentioned when defining a circle hook. Industry members also noted that their request for a pictorial diagram as well as a written description of a circle hook has not been progressed.</p> <p>The EIS (incorporating a draft FMS) for the fishery is currently on public exhibition. This issue will be</p>			

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	<p>considered in light of submissions received.</p> <p><u>Telecommunication Cables</u> The Australian Communication and Media Authority are responsible for declaring protection zones over submarine cables of 'national significance'. Submarine cables carry 99% of Australia's international voice and data traffic. To ensure the security of cables the Authority may prohibit or restrict certain activities, such as dragging anchor, trawling or dredging, within an area (protection zone) surrounding submarine cables.</p> <p>Industry member advised of a proposal to create protection zones extending from Tamarama / Clovelly Beach and Narrabeen. This means significant areas of current fishing grounds may be lost. Denis Brown, commercial fisher, is to attend a meeting with representatives from the Australian Communication and Media Authority to identify certain fishing methods (including OTL methods) that will have no impact or potential risk to cables and submit a proposal to allow certain methods within the exclusion zone.</p> <p><u>Shift in effort from the ECTBF Fishery into State fisheries</u> The Department advised it is currently in negotiation with the Commonwealth regarding their structural adjustment package and OCS issues in an attempt to prevent any shifts or increases in effort in either state or commonwealth fisheries</p> <p>Letter tabled from commercial fisher Michael Ballantyne – to be forwarded as a submission to the EIS/FMS.</p>			
12. Next meeting	Next meeting date 26 May 2006 to review the Preferred			

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date	Strategy Report.			