

**OCEAN TRAP AND LINE MANAGEMENT ADVISORY COMMITTEE MEETING
FINAL OUTCOMES
5 November 2007
2nd MEETING FOR 2007
CRONULLA FISHERIES RESEARCH CENTRE**

Attendees:

Chairperson

Dr Julian Amos

Management Advisory Committee Representatives

Mr John Garven	Demersal fish trap north
Mr Paul Sullivan	Demersal fish trap south
Mr John Joblin	Line fishing (western zone) north
Mr Garry Braithwaite	Line fishing (western zone) south
Mr Oliver Wady	Recreational representative
Dr Veronica Silberschneider	Director-General's nominee

Observers:

Dianna Watkins	Department of Primary industries, Manager Commercial Fisheries
Anthony Hurst	Director, Wild Harvest Fisheries
Kevin Rowling	Department of Primary industries, Science and Research
Peter Gallagher	Department of Primary Industries, Senior Conservation Manager – Threatened Species
Warren Winter	Department of Primary Industries, Compliance
Robert Gale	Department of Primary Industries, Principal Policy Economist
Ray Blake	Commercial fishing industry
Eddi Barbaric	Commercial fishing industry
Darren Ward	Commercial fishing industry
Megan Kessler	Nature Conservation Council of NSW
Claire Howlett	A/Assistant Secretary, Department of the Environment and Water Resources
Sasha Woods	Department of the Environment and Water Resources

Apologies

Matthew Creek	Line fishing (eastern zone) south representative
Allen Filep	Spanner crab north representative

Documents Provided:

1. North Coast fishers' submission on the proposed arrangements for the landing of large sharks in the OTLF
2. South-East Trawl Fishery – Trip Limits Closure
3. Report "A biological and economic assessment of the 2001 change in the Minimum Legal Length (MLL) for snapper in NSW".
4. Research update paper
5. Progress report on the line-fishing observer program
6. Compliance update paper
7. Commonwealth update paper

Agenda Item	Outcome	Action	Time	Responsibility
1. Welcome and Apologies	<p>Meeting opened 9:15 am. The Chairperson welcomed the MAC and all observers.</p> <p>Apologies from Mathew Creek – Line fishing (eastern zone) south representative who could not attend due to fishing commitments and Allen Filep - spanner crab representative who is overseas.</p>			
Agreement on Agenda	The Committee agreed on the agenda			
Confirmation of previous minutes	The MAC agreed that the minutes from the OTLMAC meeting held on 24 July 2007 were a true record of this meeting and they were determined as 'Final Minutes'.			
Correspondence received and sent	Resolved			
1. Business arising from previous minutes	Resolved			
2. AAT decision on Grey Nurse Shark: NCC vs Commonwealth	<p>DPI provided a brief summary of the current situation. In essence, if GNS closures do not occur by the 16th November, as per the WTO condition, then the Commonwealth will revoke the export provisions of the fishery. Consideration is being given as to whether the spanner crab fishery (and possibly other components of the fishery) can be excised from the OTLF and a separate WTO sought. If this was to occur, the public consultation period would be invoked (20 business days). A representative from the Commonwealth Department of the Environment and Water Resources (DEW) provided an overview of the situation and outlined the options available as follows:</p> <p>Option 1: Immediately move to implement additional GNS closures and seek an extension to the WTO for up to 18 months (note: the Commonwealth Minister may choose to issue the approval for a shorter period or seek a re-assessment for the entire fishery). It was noted that sufficient time was available for this to occur prior to the 14 December 2007 WTO expiry date.</p>	Provide advice to the Minister and undertake any necessary action	ASAP	DPI

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	<p>Option 2: Not implement the additional closures required. This would cause a condition of the WTO not to be met, and would trigger the action of revoking the WTO. It was noted that the export of all species harvested in the OTLF would not be permitted during the period when no WTO was in place. A new assessment of the fishery would then be required.</p> <p>Option 3: Excise components of the fishery (eg, the spanner crab fishery) and seek separate WTO's or exemptions. Export for other species in the fishery eg, shark, spotted mackerel, silver trevally etc would not be permitted under this option until a WTO was granted for the component of the fishery that was used to catch those fish eg fish trapping, line fishing.</p> <p>Under Option 1, DPI would need to provide a progress report to DEW by 16 November if an extension to the WTO was to be achieved. If this date is not meet the WTO will be revoked as it is a condition of the WTO that such a report be provided.</p> <p>Industry - raised issues of inequity with regard to export approvals for similar fisheries.</p> <ul style="list-style-type: none"> - noted that the proposed GNS closures do not apply to recreational fishers - noted that to retain export approval for all components of the fishery, in the short-term, action with regard to the proposed GNS closures was non-negotiable. - supported the implementation of the closures noting the difficulties in providing advice as they were unsure of the impact of the closures on local fishers <p>The NCC noted that if additional closures were not implemented in the Solitary Islands area at this time they would pursue the matter with the Commonwealth.</p>			

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	<p>To retain export approval in the short-term, the MAC supported the implementation of the closures as outlined in the Preferred Strategy Report, noting that:</p> <p>Montague Island – kingfish fishers will be impacted and this may have further detrimental impacts on the Bermagui Co-op.</p> <p>Magic Point – there would be minimal impact on commercial fishers.</p> <p>Fish Rock/Green Island - there appear to be 3 operators fishing in this region.</p> <p>North & South Solitary Islands – defer to the review of the Marine Park zoning rules.</p> <p>The MAC also agreed to support a separate arrangement for the spanner crab fishery, as per the DPI action to date.</p>			
<p>3. Shark Discussion Paper – update on comments</p>	<p>A paper was issued to all OTL fishing business owners in October regarding future management arrangements for the harvest of sharks, and a verbal summary of submissions received to date was provided.</p> <p>Initial analysis of the submissions received to date indicates in principle support for the proposals outlined in the paper. In addition, a number of additional measures have been suggested such as closures, hook limits and limited access to the fishery.</p> <p>DPI advised that implementation of management arrangements for this component of the fishery should occur in 2 stages – the first to include the implementation of the annual trigger/catch limit, implementation of a weekly trip limit and implementation of more</p>	<p>Amend closure notice and commence implementation of refined catch reporting arrangements</p> <p>Revise submission to respond to issues raised by</p>	<p>ASAP</p>	<p>DPI</p> <p>Industry</p>

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	<p>refined catch reporting.</p> <p>The second stage should include consideration of potential future arrangements based on submissions received.</p> <p>The MAC reaffirmed its previous support for an annual trigger catch limit, a change to a weekly trip limit and refined catch reporting requirements.</p> <p>It was suggested that a document should be prepared outlining potential action/s should the trigger limit be breached.</p> <p>Industry members raised concerns that the annual limit may be reached in a short period of time, especially if access to this component of the OTLF is not restricted. It was further noted that fishers who target sharks in other areas throughout the State at a different time of year may be disadvantaged by these arrangements.</p> <p>The issuing of an investment warning for this component of the OTLF was discussed and the MAC was advised that SIAC had not supported the concept. The OTL representative on SIAC stated that he opposed the warning due to the species listed but did support the warning being issued if the Notice was amended to exclude Port Jackson shark, wobbegongs, school shark and gummy shark.</p> <p>The MAC supported that an investment warning be issued to commercial fishers intending to invest in infrastructure required to target large sharks.</p> <p>It was suggested that the species listed in the trip limit closure be amended to remove wobbegong shark, Port Jackson shark, ghost shark, and school and gummy shark.</p>	<p>the MAC</p>		

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	<p>It was further suggested that this matter be referred back to SIAC.</p> <p>It was suggested that Industry continue to work together to provide a consolidated submission with regard to future management of the fishery.</p>	<p>Further information to be provided to SIAC</p>	<p>ASAP</p>	<p>SIAC rep/DPI</p>
<p>4. Review of the South East Trawl Fishery trip limits – Section 8 closure</p>	<p>The MAC requested that this agenda item be postponed until the current assessment is completed, with the view to removing these trip limits if appropriate.</p>	<p>For inclusion of a future agenda</p>		<p>DPI</p>
<p>5. Depth-related mortality of snapper from fish trapping</p>	<p>Dr John Stewart provided a presentation on the results from a pilot study on depth-related mortality of snapper from fish trapping. The results suggested that snapper that are caught from greater than 30 m water depth may suffer damage from barotrauma. It was noted that keeping snapper in cages that were lowered to the sea floor may have affected their survival during the pilot study.</p>			
<p>6. Consideration of the report entitled “A biological and economic assessment of the 2001 change in the Minimum Legal Length (MLL) of snapper in NSW”.</p>	<p>A presentation on the biological and economic assessment of the 2001 change in the MLL of snapper in NSW was provided to the MAC by Dr Robert Gale.</p> <p>The MAC noted a number of issues relating to any further increase of the MLL for snapper in NSW. These included:</p> <ul style="list-style-type: none"> • If an increase in the mesh size of the escape panel was also required, there would be potential loss of other valuable species • Potential impact on co-ops and regional infrastructure • Marketing issues • Competition from other jurisdictions that can supply the market with smaller snapper than NSW commercial fishers will be able to harvest, including no MLL for snapper in Commonwealth fisheries 			

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	<ul style="list-style-type: none"> • Time taken for yield to increase and potential loss of income during that time • Complementary management responses from other sectors eg, increased mesh size in trawl nets or more effective BRDs to reduce mortality from discarding • Mortality from recreational discards and that the recreational harvest is more than commercial harvest • The positive effects of other management decisions i.e. Marine Parks, Commonwealth buyouts, RFHs • The negative impacts to viability of businesses if MLL is increased beyond 32 cm 			
7. Development of closures to protect aggregations of undersized snapper	<p>DPI has met with snapper fishers in a variety of ports along the coast to discuss the feasibility and acceptability of implementing closures to trapping in areas defined as juvenile snapper habitat.</p> <p>Potential areas for closures have been identified however additional work is required to confirm the area co-ordinates so that informed discussions can proceed.</p>	Prepare a paper outlining potential closures including co-ordinates	Next MAC meeting	DPI
8. Updates – Research, Compliance, Management Planning, SIAC and Commonwealth	<p>Research Update</p> <p>Dr Kevin Rowling provided a written report. The MAC was advised that the quantitative stock assessment for eastern gemfish was currently being updated, and the mature population was estimated to be increasing with the recruitment of a strong age class spawned in 2002. Following the finalisation of the assessment in the next couple of months, the NSW trip limit for eastern gemfish would be reviewed.</p> <p>It was noted that the new MLL for silver trevally should not have a major impact on commercial OTL catches. The recent Commonwealth and State buyouts have reduced the number of fish trawl businesses that contributed a large portion of the trevally harvest. This reduction in fish trawl operators should result in an increase in the number of smaller trevally available to be caught by</p>			

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	<p>OTL fishers in the coming year.</p> <p>DPI Research commented that the mapping of commercial fishing grounds in accordance with the OTL Fishery Management Strategy is essential.</p> <p>Onboard observer program Dr Will Macbeth provided the MAC with a progress report on the onboard observer program that is currently being conducted in the line sector of the OTLF. It was noted that only a small number of trips have been conducted due to bad weather and other fishing commitments. DPI was confident that the required number of trips would be achieved although there was some difficulty in getting trips in the North region.</p> <p>SIAC The MAC noted that no SIAC meetings have occurred since the last OTLMAC meeting. Industry members considered that the OTLMAC should have an opportunity to be consulted on some of the issues raised and discussed at SIAC.</p>			
9. Black Cod recovery plan	<p>The MAC was provided with a presentation on the process required to produce a recovery plan for the Black Cod (<i>Epinephelus daemeli</i>) which has been listed as a vulnerable species.</p> <p>The MAC raised concerns that this process would lead to further fishing restrictions including closures.</p> <p>The MAC proposed that a letter be sent to the FSC requesting the removal of Black Cod from the vulnerable species list.</p> <p>The MAC also advised that it wants to be involved in the development of any recovery plan for this species.</p>	Write to FSC	As soon as practicable	Chairperson

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10. Increasing the length of netting able to extent beneath the frame of spanner crab nets from 10 cm to 15 cm	<p>Industry advised that they did not believe an increase of 5 cm would cause further entanglement of crabs. Industry also advised it was in their best interest to remove the crabs from the nets with minimal damage.</p> <p>DPI noted that previous experimental work has indicated that limb damage, which can be caused by entanglement in the net, can significantly increase post-release mortality.</p> <p>Industry requested advice as to the measuring of spanner crab nets, questioning if the net is measured “wet” or “dry”. Industry suggests that this would have a significant effect on the amount of sag and thus the length of net.</p> <p>Response – There is no regulation or policy that requires the net to be measured wet or dry. The nets are usually measured as they are found.</p>	Provide advice as to how the net is measured	ASAP - Complete	DPI
11. Wobbegong shark management arrangements	<p>The MAC supported the 12 carcass limit as outlined in the FMS. With regard to the variable size limits proposed, Industry suggested that two MLLs may pose difficulty with measuring large wobbegongs.</p> <p>The MAC supported implementation of the 2 size limits as proposed in the background paper providing that the fish could be headed at sea. The two larger species are easily distinguished from each other.</p> <p>The MAC further suggested that a conversion factor was required from total length to headed length.</p>	Investigate if a length conversion can be estimated	ASAP	DPI
12. OCS negotiations	The issue will be considered further out of session	Organise out of session meeting	As soon as practicable	DPI/Garry Braithwaite
13. Imported fish	Industry expressed concern that Australian fisheries are subject to stringent environmental standards whilst there does not appear to be the same requirements placed on imported fish.	Write to DAFF requesting advice as to the	As soon as practicable	Chairperson

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		environmental standards required on imported fish		
14. Other business	<p><u>Male spanner crab closure</u> The current male spanner crab closure is from midnight on 20 November to midnight on 20 December (inclusive). Taking into account the peculiarities of the calendar and to maximise marketing opportunities prior to Christmas, it was requested that the male spanner crab closure be amended by 1 day so that the fishing closure finishes midnight 19 December.</p> <p>The MAC supported the proposal, together with a closure a day earlier to compensate. This arrangement will apply for this season only.</p> <p><u>Use of abalone gut as bait</u> The MAC supported the recommendation to ban the sale of abalone gut in NSW.</p> <p><u>Issues between commercial and recreational fishers on the same fishing grounds</u> Industry again expressed concern regarding recreational fishers operating close to commercial gear. This can cause entanglement and safety risks when the commercial gear is retrieved (ie, recreational hooks and sinkers snagged in head ropes etc). This can also cause conflict between the parties and can result in damage to fishing gear.</p> <p>The MAC suggested that a regulation be made excluding recreational fishers from operating within the vicinity of commercial gear.</p>	UPDATE – the closure has been amended to start on the same day (20 Nov) but closes 1 day early (midnight 19 Dec)		
15. Chairperson's summary and next	The Chairperson noted that the next meeting is anticipated for late February or early March.			

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meeting date	<p>The MAC will be provided with updates on outstanding issues as they are available prior to the next meeting.</p> <p>Meeting closed 3:50pm</p>			