

OCEAN TRAP & LINE MANAGEMENT ADVISORY COMMITTEE MEETING
AGENDA
Meeting 22 & 23 June 2009
10am to 5 pm
1st meeting for 2009
Sydney Fish Markets

Chairperson

Dr Julian Amos

Management Advisory Committee Representatives

Allen Filep	Spanner crab
Paul Porter	Line fishing (eastern zone) north
Matthew Creek	Line fishing (eastern zone) south
John Garven	Demersal fish trap north
Paul Sullivan	Demersal fish trap south
John Joblin	Line fishing (western zone) north
Garry Braithwaite	Line fishing (western zone) south
Oliver Wady	Recreational representative
Miriam Vandenberg	NSW DPI
Vacant	Nature Conservation Council

Observers

Darryl Sullings	NSW DPI, Manager Commercial Fisheries
Darren Reynolds	NSW DPI, Senior Fisheries Manager
Veronica Silberschneider	NSW DPI, Fisheries Manager
Will MacBeth	Department of Primary Industries, Science and Research
Marcel Green	Department of Primary Industries, Conservation Manager
Paul Blade	Department of Primary Industries, Compliance
Nick James	Department of Primary Industries, Recreational

**OTLMAC AGENDA
22 & 23 June 2009**

1. Welcome and Apologies	Chairperson
2. Agreement on agenda for 22 & 23 June 2009	Chairperson
3. Confirmation of draft minutes of 5 November 2007	Chairperson
4. Correspondence sent and received	Chairperson
5. Business arising from the minutes	Chairperson
6. Structural Adjustment Process	NSW DPI & Industry
7. NSW 'licence splitting' policy	NSW DPI
8. Catch Record Reform Process	NSW DPI
9. Management of shark catches	
10. Update on export approval	NSW DPI
11. Species Recovery Planning Process	NSW DPI
12. Code of Practice	NSW DPI
13. Updates – Research, Compliance, Management Planning, SIAC , Commonwealth	NSW DPI
14. Regulatory Reform	NSW DPI
15. Other Business	Industry
16. Chairperson's summary and next meeting date	Chairperson

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

Welcome and Apologies

Background

The proposed meeting date of 25/26 May 2009 was rescheduled to 22/23 June 2009 due to inclement weather conditions on the north coast.

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

Agreement on Agenda

Background

A notice of the meeting and call for agenda items was circulated to Committee members, co-operatives and coastal fisheries offices on 2 April 2009.

A draft agenda has been circulated to all Committee members, co-operatives and coastal fisheries offices. Additional items may be proposed for discussion during other business, subject to approval by the Chairperson.

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

Confirmation of draft minutes from the previous meeting

Background

Draft minutes were prepared during the last meeting and sent to Committee members following the meeting. No amendments were requested.

Outcome**Agenda Item 4****Chairperson****Issue**

Correspondence received and sent

OTLMAC CORRESPONDENCE LIST (since 5 November 2007)

Date	From	Issue	To	Action
8 Nov 2007	DEWHA	Letter from C'wealth Department of the Environment, Water, Heritage and the Arts (DEWHA) re Environmental Assessment of the spanner crab component of Ocean Trap & Line Fishery (OTLF) on public exhibition	OTLMAC	Comments
19 Nov 2007	NSW DPI	Circulation of MAC meeting minutes from 5 Nov 2007	OTLMAC	FYI
19 Nov 2007	NSW DPI	Spanner crab closure advice	OTLMAC	FYI
13 Dec 2007	DEWHA	OTLF Wildlife Trade Operation extension	OTLMAC	FYI
14 Dec 2007	NSW DPI	Abalone gut closure and gazettal notice	OTLMAC	
3 Jan 2008	NSW DPI	Out of session agenda item re: update on the export approval process for the spanner crab fishery	OTLMAC	FYI
24 Jan 2008	NSW DPI	Out of session agenda item re: an increase in snapper size limit	OTLMAC	Comments
25 Feb 2008	NSW DPI	Expression of Interest for a commercial fishing rep on the Solitary Islands Marine Park Advisory Committee	OTLMAC	FYI
27 Feb 2008	DEWHA	Interim management arrangements for commercial fishing in the C'wealth Solitary Islands Marine Reserve	OTLMAC	FYI
19 Mar 2008	Fisheries Scientific Committee	Gemfish-Final-Determination- recommendations that gemfish is "Not eligible to be listed as an endangered species	OTLMAC	FYI
20 Mar 2008	Oceanographic Field Services Pty Ltd	National Mooring of Port Hacking	Chair & Paul Sullivan	FYI
18 Apr 2008	Jin Bao Seafood	Request from China for spanner crab exporters contact list	OTLMAC	FYI
21 Apr 2008	NSW DPI	Out of Session Item re: proposed new arrangements for sharks	OTLMAC	FYI
2 May 2008	NSW DPI – catch records	Out of Session Item - Catch Records Reform	OTLMAC	Comment
26 May 2008	NSW DPI	Wobbeong Closure	OTLMAC	FYI
11 Sep 2008	Sydney Water,	Sydney's Desalination Project, Community Update 2008	Chair	FYI
12 Sept 2008	NSW Maritime	National Approach to Maritime Safety Regulation - Consultation Regulation Impact Statement	OTLMAC	Comment
23 Oct 2008	NSW DPI	Re. proposal to renew abalone viscera as bait or berley closure	OTLMAC	Comment
29 Oct 2008	NSW DPI	Copy of the information paper recently sent to all fishers regarding new gear regulations	Chair	FYI
30 Oct 2008	NSW DPI - Minerals	Application from Exploration Licences by Energie Future Pty Ltd	Paul Sullivan	Comment
13 Nov 2008	Sydney Water	Sydney's Desalination Project, Community Update 2008	Chair	FYI
14 Nov 2008	NSW Maritime	Invite from NSW Maritime to attend a meeting convened by the	OTLMAC	FYI

		Commercial Vessels Division.		
14 Nov 2008	NSW DPI	Advice re: fishing closures previously made under section 8 of the Fisheries Management Act 1994 have been converted into regulation	OTLMAC	FYI
17 Nov 2008	NSW DPI & Cardino Ecology lab	Offshore Artificial Reefs Stakeholder Consultation Meetings	OTLMAC	FYI
19 Nov 2008	NSW DPI	Waterproof shark and ray identification guide	OTLMAC	FYI
1 Dec 2008	NSW DPI	SE Australia climate change program	OTLMAC	Comment
1 Dec 2008	Sydney Water	Sydney's Desalination Project, Community Update 2008	OTLMAC	FYI
3 Dec 2008	NSW DPI	Information regarding the revised catch reporting arrangements	OTLMAC	FYI
29 Jan 2009	NSW DPI – research	Updating priorities in the strategic research plan.	Chair	FYI
5 Feb 2009	Rural Training Initiatives	National Seafood Industry Leadership Program	OTLMAC	FYI
10 Feb 2009	NSW DPI	Ocean trap and line shark catch has exceeded 60 tonnes	OTLMAC	FYI
11 Mar 2009	DEWHA	Early reminder letter from (DEWHA) re: export approval submission.	OTLMAC	FYI
13 Mar 2009	Spanner crab fisher Laurie Griffis	Letter regarding spanner crabs and request to table letter at the next OTLMAC	OTLMAC	FYI
17 Mar 2009	NSW DPI - management planning	Draft submission to the DEWHA for renewed export approval	OTLMAC	Comment
2 Apr 2009	NSW DPI	OTLMAC meeting notification and call for agenda items 25/26 May 2009	OTLMAC	FYI
2 Apr 2009	NSW DPI	'Pyrmont Pact' media release	OTLMAC	FYI
4 May 2008	NSW DPI	OTLF Management arrangements	OTLMAC	FYI
6 May 2009	NSW DPI	Cultural fishing in NSW - Discussion paper	OTLMAC	FYI
6 May 2009	WWF and Smart Gear	Smart Gear Competition 2009	OTLMAC	FYI
12 May 2009	NSW DPI - Industry Development	Information about grants and programs	OTLMAC	FYI

Issue

Business arising from the minutes

Background

An updated action item status list attached. It is recommended that the Committee reviews the action item list with the objective of removing actions that are not a priority or are no longer relevant.

Outcomes

For information

**NEW ACTION ITEMS
OTLMAC Meeting 5 November 2007**

Agenda Item	Topic	Action	Responsibility	Status
3	Shark Discussion Paper and arrangements for period up to 30 June 2009	Amend closure notice and commence implementation of refined catch reporting arrangements. Further information to be provide to SIAC.	NSW DPI	Complete
4	Review of South East Trawl Trip Limits – Section 8 closure	For inclusion into future agenda. It is noted that extent and timing of any changes to trip limits is likely to be influenced by structural reform agenda.	NSW DPI	Pending – see Agenda item 1
7	Development of closures to protect aggregations of undersized snapper	Prepare a paper outlining potential closures including co-ordinates	NSW DPI/Industry	Refer to agenda item11
9	Black Cod recovery Program	Write to Fisheries Scientific Committee expressing concern over the listing of cod on the vulnerable species list and request its removal.	Chairperson	Pending
11	Wobbeong shark arrangements	Investigate if a length conversion can be estimated having regard to the current bag and size limits	NSW DPI	See agenda item 13
12	OCS negotiations	Organise out of session meeting	Garry Brathwaite/DPI	See agenda item 12
13	Environmental standards for imported fish	Write to DAFF requesting Advice	Chairperson	Update from Chairperson

OUTSTANDING ACTION ITEMS - OTLMAC Meeting 24 July 2007

Agenda Item	Topic	Action	Responsibility	Status
4	Development of closures to protect aggregations of undersized snapper	OTLMAC to write a letter to Ocean Trawl MAC with respect to complementary closures for undersized snapper	OTLMAC	See Agenda item 10
6	Reporting of shark species caught in the OTLF	This item was deferred until there is more refined catch information	NSW DPI	Pending – revised catch reporting arrangements commence June 2009
9	Share Management Plan – escape panels in fish traps	OTLMAC to write to the Estuary General and Lobster MACs expressing concern that escape panels are not currently required in their traps	OTLMAC	See agenda item 12.

OTLMAC Meeting 5 April 2006

Agenda Item	Topic	Action	Responsibility	Status
2	Quota Management for the Spanner Crab Fishery	Spanner crab sub-committee to meet to discuss options for quota management.	NSW DPI	Pending - Industry meeting held May 2009

Issue

Structural adjustment and alternate management frameworks for NSW Commercial Fisheries

Background

The NSW commercial fishing industry continues to face significant challenges as a result of changes in access, increasing operational costs, competition from imports, and excess catching capacity.

There are many options to promote structural adjustment and/or for alternate management frameworks, each with their own advantages and disadvantages.

Issues related to industry structure and alternate fishery management regimes have been discussed by the Ocean Trap and Line Management Advisory Committee since its inception and were particularly considered during the restricted fishery process, as well as when developing the framework for allocation of shares in the fishery.

The Seafood Industry Advisory Council and its working group on structural adjustment have been working closely with the Department to explore ways of effectively addressing fishery issues, and in particular the need for long-term structural adjustment.

The Government has indicated support for a restructure of the commercial fishing industry that would make it more viable, and for undertaking legislative changes if necessary. A number of potential options exist and advice is being sought from the Management Advisory Committees for each fishery to assist development of a well thought-out and workable proposal that will provide a business environment that promotes a strong, healthy commercial fishing industry in NSW.

Outcomes

For discussion

Issue

NSW "licence splitting" policy

Background

The (voluntary) surrender of Commonwealth fishing authorities as part of the Federal Government's *Securing Our Fishing Future* buy-out was in breach of the long standing national licence splitting policy and NSW's fishing business transfer rules. A breach occurs as the external authorities are separated from the business' NSW fishing authorities.

The Seafood Industry Advisory Council previously advised the Government to take strong action to prevent the displacement of fishing effort into NSW fisheries as a result of the separation of dual licences. In May/June 2007 the Minister approved six actions to help reduce the risk of additional fishing pressure moving into NSW waters. These included:

1. Cancelling any permits issued to former Commonwealth tuna longline fishers (ie. those who surrendered Commonwealth tuna longline or poling permits) which authorised the taking of bait from NSW waters;
2. Deleting the policy provision to grant "new" permits to take bait from NSW waters to businesses that hold or acquire a Commonwealth tuna longline permit;
3. Requiring boats (and licences) previously upgraded above the standard boat replacement rules because the owner held a tuna longline permit, to return to their original NSW boat length if the owner surrendered that tuna longline permit;
4. Amending NSW DPI policy to remove provision to grant new approvals for the use of longer boats in NSW fisheries above the standard boat replacement rules;
5. Cancelling the relevant NSW fishing authorities of former dual licensed operators who have no recorded catches in NSW waters between the years 2000-2005;
6. Undertaking a review of the risk of increased fishing effort in NSW waters following the completion of the Commonwealth Government's buy-out and the recent NSW marine park buy-outs and development of a methodology for further action, if necessary, to mitigate the risk.

Actions 1 to 5 have been implemented. The review foreshadowed in the 6th action has also now been finalised and the Minister has approved a new methodology for action which minimises the risk of fishing effort shifting into NSW managed fisheries.

The methodology, which takes account of the risk posed by each individual business in breach of the transfer rules, has been applied to each former Commonwealth/NSW dual operator. It involves a proposal to take no action or to cancel some or all of the NSW fishing authorities of the businesses in question depending on their past level of NSW activity compared with other State-only operators, subject to a 'show cause' process. The relevant business owners have been notified of the outcome. A summary of the methodology will be provided to the MAC.

The Minister has also approved application of the methodology to any other future cases where entitlements are split from a dual operator fishing business. This means that the previous 'blanket' licence splitting policy has been superseded by the new risk-based approach. NSW DPI has written to all dual operators to advise them of the new arrangements.

The licence splitting policy will remain until such time as the Minister is satisfied the broader fishery management arrangements in place in NSW nullify the risks and thus eliminate the need to continue the policy.

Outcomes

For information of the Committee.

Agenda Item 8

NSW DPI

Issue

Revised Catch Reporting Arrangements

Background

NSW DPI is introducing revised catch and effort reporting arrangements for the NSW commercial fishing industry commencing from July 2009.

The revised reporting arrangements have been developed to address requirements for finer scale (spatial and temporal) information and are expected to provide an improved information base to support fishery management and planning processes and to enable more robust stock assessments to be completed. The revised arrangements also allow for more efficient administration processes and align reporting with the new share management fisheries arrangements which commenced in February 2007.

A draft document titled 'Business Requirements Specification – Revised Reporting Arrangements' was sent to all MAC members and other stakeholder group representatives in May 2008, seeking comment. In addition, NSW DPI staff met with a cross section of industry participants seeking advice on the new arrangements for catch and effort reporting.

A summarised list of the issues raised by stakeholders along with a brief description of the Department's response to each issue is available on the website. <http://www.dpi.nsw.gov.au/fisheries/commercial/catch-effort>

NSW DPI completed a pilot program in February 2009 to refine the new arrangements and this will be followed by an education and information campaign leading up to the commencement of the arrangements in July 2009.

An update on progress of the catch records reform project and the outcomes of the recent pilot program will be provided for the Committee's information.

Outcomes

For Information of the Committee

Issue

Management of shark catches

Background

There is worldwide concern over the sustainability of shark fishing operations and the consequential impact on the broader ecosystem. Shark populations are particularly vulnerable to high fishing pressure due to their biological characteristics and complex life history. The overall low productivity of sharks, due to a combination of slow growth, low fecundity and late maturation, exposes exploited shark populations to serious risk of depletion. Overfished shark populations are also slow to recover. In light of these factors an appropriate strategy must be adopted to ensure that the harvest of sharks in NSW waters remains sustainable.

In May 2004, the Australian Government released the National Plan of Action for the Conservation & Management of Sharks. The NSW Government has committed to implementing management measures ensuring shark catches are sustainable and which minimise unutilised incidental catches, waste and discards.

Generally, catches of sharks in the Ocean Trap and Line Fishery remained steady over the period 1997/98 to 2004/05, when an increase in the harvest of sharks was noted. Catches increased sharply in 2006/07 raising concerns and new arrangements were introduced. From 1 Sept 2008 to 30 June 2009 a 60 tonne (trimmed weight) annual catch trigger limit applied to pelagic shark species (eg all whalers, blue, hammerhead, mako and tiger sharks). Under this arrangement a weekly catch limit of 2 tonnes applies until the trigger limit is reached, whereupon bycatch limits apply. In addition, permits have been issued to some fishers allowing targeting of sandbar sharks. Each permit holder was issued with a proportion of 100 tonnes with a weekly limit of 2 tonnes. Other bycatch limits also apply.

The term of the closure and permits is due to expire on 30 June 2009 and new arrangements need to be developed taking into account issues raised by industry and conservation groups. Various issues have been raised concerning the current arrangements. Broadly these are:

- Equity
- Discarding & Dumping
- Sustainability & interactions with threatened species

On overview of issues arising from the current arrangements and options for future management will be provided for consideration by the committee.

Outcomes

For consideration

Issue

Update on export approval

Background

The NSW Ocean Trap and Line Fishery has been declared an approved Wildlife Trade Operation (WTO) under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) allowing export of product from the fishery.

The current Commonwealth export approval for the fishery expires on 27 July 2009. A submission to the Department of the Environment, Water, Heritage and the Arts (DEWHA) was prepared by NSW DPI on behalf of the NSW fishing industry seeking ongoing export approval for the NSW Ocean Trap and Line Fishery beyond that date.

The NSW DPI submission provided updates on the implementation of the conditions and recommendations made in the original DEWHA assessment and addresses the guidelines for ecologically sustainable management of fisheries.

The NSW DPI submission and guidelines can be viewed at
www.environment.gov.au/coasts/fisheries/nsw/ocean-trap/submission-09.html

The closing date for public comment was 18 May 2009.

Spanner crabs

A separate export approval is being pursued for the spanner crab fishery.

Outcomes

For information

Issue

Species Recovery Planning Process

Background

If a species taken in a NSW commercial fishery is determined as overfished, the Fishery Management Strategies require implementation of, or assistance in developing, a recovery program for that species. Some FMSs require drafting of a recovery program for consultation within a short timeframe, e.g. six months of a species being determined as overfished.

The process of developing a recovery program for an overfished species initially involves NSW DPI preparing a summary of the known factors that have led to the determination and identifying a range of management options. Please note that a formal recovery program is not required for species that are determined as growth overfished if the Director-General, NSW DPI, considers that the combination of the existing harvest strategy and life history characteristics of the species provides sufficient protection.

If developed, a recovery program must include a description of the actions proposed to return to acceptable levels those parameter(s) that have led to the determination of the species being overfished. The recovery program also sets out a timeframe for that process and may specify further appropriate action should recovery targets not be met.

There are currently 11 species taken in NSW fisheries (abalone, eastern king prawn, eastern sea garfish, gemfish, grey morwong, mulloway, redfish, school prawn, silver trevally, snapper and yellowtail kingfish) which are classified as overfished or growth overfished and require assessment and/or development of a recovery program. With the exception of abalone, these species are taken at various life history stages across several fisheries, using a range of methods.

Given the number of species involved and the complexity of interaction between various fisheries, it is desirable that a consolidated process be introduced for evaluating the factors leading to overfishing and identifying appropriate management responses. This will provide consistent decision making and facilitate development of management options which provide benefit to multiple species and consider the cumulative environmental, social and economic impacts of the proposed arrangements.

The management responses outlined in the OTL Fishery Management Strategy which are currently underway, including the development of closures to protect aggregations of undersized snapper and increasing the size limit for snapper to 32 cm, will be addressed under this holistic management approach.

To facilitate coordinated consultation it is proposed to use the Resource Assessment Review Committee as a point of contact for initial discussion rather than any one individual fishery MAC. Consultation with relevant MACs and advisory bodies will occur after a consolidated draft recovery program has been developed.

Outcomes

For information of the Committee.

Issue

Code of Practice

Background

The Fishery Management Strategy for the Ocean Trap and Line Fishery promotes the development of a code of practice for all ocean trap and line fishers, to encourage responsible fishing practices and to minimise the impact of trap and line fishing on the environment.

The code of practice is a guide to fishers concerning socially and environmentally acceptable behaviour, and is especially useful for encouraging such behaviour in cases where ensuring compliance with regulations is not possible or is overly expensive.

A draft code of practice has been prepared which incorporates changes in the legislative framework governing the fishery, specifically the implementation of the *Fisheries Management (Ocean Trap and Line Share Management Plan) Regulation 2006* and *Fisheries Management (Supporting Plan) Regulation 2006*, and addition to specific responses as outlined in the OTLFMS (see management response 1.2(e), 2.1 (f), 3.1 (d), 5.4 (c)).

It is noted that at the OTLMAC meeting of 5 April 2006 the Committee discussed the draft OTLFMS and progress on proposed management responses including the development of the code of practice.

Previously the committee recommended that 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. Advice is sought from the MAC and DPI compliance representatives as to the continued relevance of these actions.

Outcomes

For comment.

Issue

Updates – Management, Research, Compliance, Management Planning, SIAC

Background

Opportunity is provided for members to raise any local issues relating to the management of the fishery.

Management Update**Seafood Industry Advisory Council (SIAC)**

SIAC met in February and December 2008 and covered a range of issues some of which will affect the future of all commercial fishers. The main issues discussed by SIAC at this meeting can be viewed on DPI's website at www.dpi.nsw.gov.au.

Marine Pests

NSW DPI has produced a short brochure summarising the actions industry can take to minimise the spread of marine pests in NSW waters and made laminated 'marine pest identification cards' showing some of the major marine pests to watch out for. These are available free to NSW commercial fishers by calling Aquatic Biosecurity staff on (02) 4982 1232 or visiting your local Fisheries Office.

Share Appeals

All of the appeals (approx. 70) have been heard and the Fisheries Share Appeal Panels have made their recommendations with respect to each fishing business. NSW DPI will inform all the appellants of the result shortly.

Eastern Gemfish and School Shark

The eastern Australian population of eastern gemfish (*Rexea solandri*) and school shark (*Galeorhinus galeus*) have been placed in the conservation dependent category on the national threatened species list.

Environment Minister Peter Garrett and the Minister for Agriculture, Fisheries and Forestry Tony Burke announced the inclusion of the two species on the list at the recommendation of the Threatened Species Scientific Committee on 3 February 2009.

The two species were eligible for the category as they had undergone severe population declines in the past but were currently subject to robust fisheries management measures designed to rebuild their stocks.

The listing does not prohibit the fish from being caught commercially at low levels. The listing documents and associated recommendations can be accessed online at: <http://www.environment.gov.au/biodiversity/threatened/index.html>

Escape panels in the lobster fishery

Currently the Lobster fishery, through the annual management charge, is funding an observer program on lobster fishing practices. This program is 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, however, a summary of progress so far and preliminary results could be provided to OTLMAC during 2009. Further detailed fishery information will be obtained by the new catch reporting system. This information will enable an objective assessment of the volume of fish taken as bycatch of lobster trapping and whether introduction of escape panels for lobster traps is warranted.

Minimum shareholdings

The Ocean Trap & Line Share Management Plan specifies the minimum number of shares required to be eligible for an endorsement in those fisheries. Fishing business owners who were eligible for an endorsement immediately before commencement of the Plan on 5 February 2007, but who were issued less than the minimum shareholding have been authorised by the Plan to remain endorsed for a period of 2 years and 6 months after the Plans commenced, that is until 5 August 2009.

After this date all Ocean Trap & Line fishing businesses will be required to have the minimum shareholding specified in the plans to be eligible for an endorsement for a particular share class. The minimum shareholding for all share classes in the fishery is 40.

Commonwealth update:

The Southern and Eastern Scalefish and Shark Fishery Joint Management Advisory Committee (JointMAC) met in early February 2009 to discuss the setting of Total Allowable Catches (TACs) for the fishery prior to the 2009/10 fishing year.

JointMAC held workshops dedicated to Pink ling and Harrison's dogfish species in March 2009, the main outcomes being - proposed increased protection measures for pink ling, i.e. current closures coming into effect one month earlier, an area closed known as the horseshoes closed for twelve months from 1 May 2009, and no take of pink ling for the rest of the season if catches do not decrease by November/December 2009 subject to agreement also by the non-trawl sector. For dogfish/gulper sharks some options considered included reduce the trip limit from 150kg to 100kg, targeted spatial closures reduce effort in areas where gulper sharks are known to occur, pending availability of data.

SETMAC and the Gillnet Hook and Trap Management Advisory Committee will combine to form the new South East MAC. This will take effect from 1 July 2009.

Offshore Constitutional settlement (OCS)

NSW DPI, the Commonwealth Department of Agriculture, Fisheries and Forestry (DAFF) and the Australian Fisheries Management Authority (AFMA) have met several times over the past 6 months to discuss OCS arrangements relating to the management arrangements applying to fish stocks where management responsibility is shared. At this stage the focus will be on the fish trawl fishery operating south of Barrenjoey Head. It is proposed that consultation will start in the near future.

Spanner Crab Shareholder Meeting

An open meeting of spanner crab shareholders was held on 13 May 2009 at Ballina Fisherman's Co-Op. This meeting was attended by more than half of shareholders including the OTL MAC representatives for the region. The majority of members in attendance supported development of a detailed proposal for quota management of their fishery and extending the "transitional period" until January 2010 to enable shareholders to view this proposal and vote on future directions for their fishery.

Research Update – Will Macbeth will provide a research & observer program update.

Compliance Update - Paul Blade will provide a compliance update.

Conservation Update – Marcel Green will provide a conservation update.

Outcomes - For information

Issue

Regulatory Reform

Background

Since the implementation of the Ocean Trap and Line Share Management Plan resources have focused on (a) identifying the current regulations that can included in the Plan (b) identifying any new regulations that need to be developed as part of the FMSs and (c) identifying fishing closures that can be included in the plans.

These amendments were made so that the majority of rules applying to each fishery can be found within the Share Management Plan, and to implement new measures flowing from the Environmental Impact Assessments of the State's commercial fisheries and in the case of closures, to reduce costs associated with maintaining fishing closures. An information paper on these changes was forwarded to commercial fishers in November 2008.

Some of these closures included: the prohibition of wire trace line on set lines within 3 nautical miles of the natural coastline and circle hooks required on all set lines (the definition of a circle hook was developed in conjunction with NSW DPI compliance branch to limit ambiguity and to ensure the definition is enforceable from a compliance perspective) and the seasonal spanner crab closure prohibiting the taking of females. A number of further changes, including conversion of the remainder of fishing closures into regulation, are currently underway, those that relate to the OTL fishery include:

Supporting Plan

The carriage of fishing gear - To reduce administration and cost to commercial fishers and DPI associated with issuing written 'closed water' authorities in accordance with section 25 of the Act, it is proposed to provide for the carriage of stowed commercial fishing gear through waters where use of the gear or the taking of fish is prohibited.

OTLSMP

A closure restricting the take of sharks in the fishery to a total of 6 carcasses in any one trip, with minimum legal lengths banded wobbegong – 180 cm, ornate wobbegong – 180 cm and spotted wobbegong – 130 cm came into effect in May 2008, in the OTL and lobster fisheries following sustainability concerns.

The OTLFMS states that a minimum legal length (MLL) for wobbegong sharks of 130 cm TL be implemented subject to scientific peer review of the relevant research and the potential efficacy of a size limit by NSW DPI.

Industry has indicated that fishers have traditionally headed and gutted wobbegongs at sea, and even though a MLL has been placed on species, fishers are not forced to land wobbegongs with the head attached. However Industry has requested that alternative measurements be explored to provide for a headed length so that fishers can continue to head wobbegongs at sea.

It is considered that the current trip limit of 6 carcasses is sufficient measure to prevent overfishing of wobbegongs and negates the need for an additional size limit, it is therefore proposed that only the trip limit component of this closure be drafted into relevant regulation.

A minor amendment will also be made to the key secondary species list to ‘ *Orectolobus spp*’ to take account of all 3 known wobbegong sharks.

Outcomes

Agenda Item 15

Chairperson

Issue

Other business

Background

The following issues have been raised by for discussion:

Garry Braithwaite – Line fishing western zone (south) representative

- * The need to discuss the link between the 1991 OCS and OG1 endorsements
- * The transfer of some section 8 closures into regulation (eg circle hooks, fish trap escape panels).
- *The use of electric reel gear types in the recreational fishery – concerns over increased targeting of deepwater species by recreational fishers.
- * Minimum number of MAC meetings for the fishery.

Other issues

- * Review of deepwater trip limits including bar cod.

Outcomes

Agenda Item 16

Chairperson

Issue

Chairperson’s summary and next meeting date

Background

Outcomes

For information