

Minutes

Lobster Industry Working Group Meeting 22.05.2024

Details

Location:

Acacia/Kurrajong meeting rooms
Novotel Sydney International Airport

Date/time: 22 May 2024
2pm

Chairperson: Simon Clark (DPI)

Additional DPI Staff

1. Josie Krause (DPI Commercial Management)
2. Matt Cartwright (DPI Fisheries Compliance)
3. Peter Turnell (DPI A/DDG) – V/C (1-130pm)

Members Present

1. Daniel Stewart (Industry R1)
2. Noel Gogerly (Industry R2)
3. Lee Monin (Industry R3)
4. Mark Cranstone (Industry R4)
5. Mark Horne (Industry R5)
6. Oly Wady (Recreational)
7. Geoff Liggins (DPI Research Scientist)
8. Jason Carey (DPI Compliance Officer)
9. Damian Young (DPI Executive Officer)

Observers

1. Scott Westley
2. Alan Blake

Presenters

1. Aimee Cavanagh (DPI)
2. Patrick Caleo (MSC)
3. Gary Howard (CFIA)
4. John Wilson (CFIA)
5. Paul Sullivan (CFIA)

May 22 Wednesday, 8:30am

1. Welcome, apologies and introductory remarks

The Chair welcomed members, observers and DPI representatives, and acknowledged the traditional custodians of the land. There were no apologies for the meeting.

Members discussed the number of working group meetings to be held each year and proposed the face-to-face meeting continues to be held the day prior to the Total Allowable Fishing Committee meeting each year along with three video conference meetings.

Members raised issues experienced with technology for video meetings and discussed the option of attending conference rooms at their nearest DPI office.

4.4 ACTION: To include in the TOR that the LIWG to have four meetings per year: at least one face to face and three via video conferencing.

2. Confirmation of final minutes from previous meeting

The draft minutes from meeting held 31 July 2023 were emailed to members 30 August 2023 and reviewed out of session. Chair advised members of a correction made to action item 3.4 where the word “deliver” was changed to “consult”.

Chair advised members all remaining actions from meeting 31 May 2023, and items 2.1, 2.2, 3.2, 3.4, 3.7 and 3.8 from the 31 July 2023 meeting have now been completed.

Action 3.1 - Future options for the working group was discussed, members raised concerns relating to time management and their ability to facilitate and coordinate meetings, and agreed the current LIWG should continue.

Action 3.3 - DPI Compliance provide a summary of warnings, infringement notices and convictions for long tags, separating those 0-3mm from other long tag offences – refer to Section 5.

Action 3.5 - DPI compliance to provide a list of all endorsement holder offences at the next meeting – refer to Section 5.

Action 3.6 - DPI advised work will continue with FishOnline and DRF project teams to include advice on the benefit of recording share and quota trading data for the TAFC setting process on online and paper transfer forms.

Action 3.9 - DPI provided the timeline of the process undertaken to amend the maximum shareholding, which now aligns with other fisheries rules. Members shared their views.

Members discussed the cost for new entrants into the fishery, who may be supported through an amendment to the minimum shareholding. It was recommended minimum shareholding be discussed at the next meeting.

RESOLUTION It was agreed there is no further action required with respect to the maximum shareholding.

4.5 ACTION Discuss the benefits and costs of lowering the minimum shareholding to support new entrants at the next meeting.

Action 15.1 – Members discussed the proposal to increase the penalty relating to the use of lighters and acknowledged it is an endorsement holder offence under the regulations - refer to Action 3.5

RESOLUTION Members confirmed the minutes from meeting 31 July 2023 as accurate.

3. Correspondence

Correspondence was tabled for member discussion.

Members discussed notification and attendance of non-working group members at future meetings. Members recommended all lobster shareholders and authorised fishers be notified of meets to provide them the opportunity to table agenda items through their regional representative.

Members discussed and unanimously agreed all lobster trap fishers should be included under the Marine Stewardship Accreditation (MSC).

RESOLUTION: Lobster shareholders and endorsed fishers to be notified of upcoming meetings once set.

RESOLUTION: All Lobster trap shareholders and authorised fisher's (excluding the current diver permit holder) are included under the MSC client list.

4. Lobster Industry Working Group Terms of Reference (ToR)

The ToR was tabled (Attachment B) for discussion.

It was discussed that the ToR would be improved by adding a clear directive outlining action/s to be undertaken should any member misrepresents their role on the working group or breaches the departments code of conduct.

Members discussed an opportunity to build a link between the LIWG and Commercial Fishing NSW Advisory Council (CommFish). A recommendation was tabled to invite the CommFish NSW Lobster member to future LIWG meetings as a non-voting member.

Members discussed observers attending future working group meetings and agreed observers should only be permitted to attend face to face meetings.

Members recommended CommFish NSW is provided a copy of the finalised minutes from each LIWG meeting and retrospectively members requested a copy minutes CommFish NSW meeting.

4.6 ACTION

Amend the ToR to include the following:

- action/s to be followed against any member who misrepresents their role on the working group or breaches the departments code of conduct.
- include the Lobster Commfish NSW member as a non-voting member on the LIWG.
- observers are only permitted to attend face to face working group meetings.

RESOLUTION The executive officer to ensure LIWG and CommFish minutes are distributed between the committees.

5. Update the Total Allowable Catch (TAC) setting program for 2024/25

Members were advised the TAC meeting is scheduled for 23 May 2024 and that reports have been submitted to the Total Allowable Fishing Committee (TAFC) from the management, research, and compliance branches of DPI. DPI provided a summary of the information submitted to the TAFC for review and discussion.

Members raised questions around the accuracy of Sydney Fish Market (SFM) prices being a true representation of current beach prices and discussed options to improve accuracy of the beach price. Members advised the beach price and actual amount the SFM pays the fisher after commissions, fees and other charges are removed differ significantly. Members committed to providing the executive officer price information from export sales prior to the drafting of next years management report to the TAFC.

Members discussed the significant increase in the catch of Octopus during the current fishing period and the impact this had on Lobster catches for the current season. DPI was asked where the take of octopus would contribute towards any potential future allocation of the species.

Members and management discussed current travel restrictions for DPI staff and what actions could be taken to secure a face-to-face meeting for next year's LIWG and TAFC meetings.

DPI compliance provided a summary of warnings, infringement notices and convictions for long tags, separating those 0-3mm from other long tag offences.

DPI compliance provided a list of all endorsement holder offences. Members agreed to not pursue increasing the fine to \$1,000 for endorsement holder offences.

RESOLUTION Members noted DPI compliance advice regarding long tag offences and agreed no further action is required. Members also elected to not pursue increasing the fine to \$1000 for endorsement holder offences.

4.7 ACTION LIWG to provide DPI with export sales and price information for inclusion in next year's management report.

4.8 ACTION DPI to provide a response on any potential future allocation processes with respect to Octopus.

4.9 ACTION The LIWG to write to DPI to express the importance of the LIWG and TAFC meetings being face to face for industry.

6. Lobster management charge for the 2024/25 financial period

Members discussed the draft 2024/25 lobster management charges. Members requested a breakdown of the costs to run this year's LIWG face-to-face meeting.

4.10 ACTION DPI to provide members a breakdown of costs spent on the 22 May 2024 meeting.

RESOLUTION Working group supported the draft 2024/25 management fees.

7. Tags for the 2024/25 fishing period

DPI advised members a total of 285,000 tags have been ordered for the 2024/25 fishing period, and that tags will be green with laser engraved black text with a red NSW waratah.

Members again questioned why the same colour tag could not be used across fishing periods to reduce wastage and cost. Fisheries compliance reaffirmed their position that keeping the same colour tags fishing periods would create risks to the integrity of the quota management regime and increase the time and costs associated with inspections.

A member tabled his dissatisfaction with the time taken for DPI to provide him with additional tags during the fishing period and stated the negative impact this has on his business. Members advised shareholders are trading quota/shares more frequently and in real time are therefore additional tags requested should be approved within reason despite clause 35 of the Fisheries Management (Lobster Share Management Plan) Regulation 2000.

4.11 ACTION DPI to invite a DPI fisheries service's staff member to the next meeting to discuss options to streamline the process for issuing additional tags.

RESOLUTION: Members agreed to support the current tag management process, and to consider new technologies or processes that may contribute to lowering costs, while maintaining quota integrity.

8. General Business

a. Lobster Industry Consultation March 2024 update

DPI advised members targeted industry consultation on three proposals was undertaken from 6 to 24 March 2024. Four submissions were received, all in support of the proposals. Members revisited the proposal to allow tags to be used for a month into the following season. It was considered too short a period to be a worthwhile process. As with using the same colour tags season to season, allowing the tags to be used for a longer period into the following season creates compliance risks and integrity issues. The cost would be additional compliance time through inspection processes, which is currently quicker given they can assess compliance with tag colours, rather than individually recording tags.

Members considered if they could not be used up to six months into the season, the change was not worth pursuing.

4.12 ACTION The proposal to remove the lease limit and requirement to carry a measuring device were supported for DPI to proceed with regulatory changes.

RESOLUTION The committee did not support the option to allow tags to be used into the following season.

b. Online reporting development – (DRS)

Aimee Cavanagh presented an update on the DRF project and advised members enhancements being made to the online reporting system will simplify the online reporting process for fisher's and improve the accuracy of the data reported.

Members supported the establishment of a small working group comprising of two industry representatives, the lobster fishery manager and Aimee Cavanagh to discuss the online reporting requirements for the lobster fishery as part of the DRF project. Scott Wesley and Mark Cranstone were nominated as the industry representatives to participate in the working group.

4.13 ACTION DPI to co-ordinate the working group to meeting with Aimee Cavanagh prior to the end of June.

c. Request from shareholder to extend the reporting timeframe for a catch report

Members discussed a request from a shareholder to extend the 2-hour catch report timeframe to 2.5hrs to assist them meet the requirement when working away from their home port. Members agreed that as a minimum the 2-hr timeframe is needed and given time constraints at the current meeting the issue should be tabled at the next meeting for further discussion.

Action 4.14 The 2-hour catch report timeframe to be discussed further at the next meeting.

d. MSC and new peak body update

Patrick Caleo (Regional Director, Asia Pacific MSC) presented to the group on future requirements and estimated costs for maintaining the MSC accreditation for the NSW lobster fishery.

The Commercial Fishing Industry Association (CFIA) representatives Mr John Wilson (Chair), Mr Gary Howard and Mr Paul Sullivan (interim board members) updated members on the current status and future steps for the CFIA. They also advised members that the status of the funds to meet previous commitments. Members recommended the Lobster MSC be included as an agenda item for further discussion at the next working group meeting.

Members discuss inviting a representative of the Commercial Fishing Industry Association (CFIA) to future working group meetings, once the peak body has been consolidated, post their election process.

4.15 ACTION Discussion on the MSC accreditation to be included as agenda item at the next meeting.

e. Number for marking buoy on lobster trap

Members discussed the number required to be used on buoys under clause 40 of Fisheries Management (Lobster Share Management Plan) Regulation 2000 and agreed the regulation should be amended to require the fishing business number (consistent with marking requirements for traps in the Ocean Trap & Line and Estuary General fisheries) followed by the letter L, is displayed on the buoy, plastic tag, or concrete block being used to mark the trap.

Members discussed instances where a shareholder permits a fisher who is not authorised on their fishing business to pull their traps. DPI advised this is not permitted under the regulation and committed to seek more information from members on this practise and reconvene discussions at the next working group meet meeting.

4.16 ACTION Add agenda item to next meeting on whether there is a process that may allow shareholders permitting non-authorised fisher (other lobster fishers) to pull their traps.

f. Business Efficiency Program (BEP)

Members were advised the BEP remains underway and the retention of Lobsters taken in demersal fish traps remains a proposal being considered under this program.

Meeting closed: 4:30pm

Next Meeting: 29 October 2024

ACTION TABLE

No.	Action	Responsibility	Outcome
31 July 2023			
3.1	DPI to organise a future workshop to discuss options for the working group.	NSW DPI	Resolved See 22/05/24 item 2.
3.3	DPI Compliance provide a summary of warnings, infringement notices and convictions for long tags, separating those 0-3mm from other long tag offences.	NSW DPI Compliance	Completed.
3.5	DPI compliance to provide a list of all endorsement holder offences at the next meeting.	NSW DPI Compliance	Completed.
3.6	DPI to work with FishOnline team to include advice on the benefit of recording share and quota trading data for the TAC setting process on online and paper transfer forms.	NSW DPI	Ongoing
3.9	DPI to provide the LIWG a timeline of the process undertaken to amend the maximum shareholding.	NSW DPI	Completed.
4.3	DPI to arrange follow up meeting in November 2023.	NSW DPI	Completed.
22 May 2024			
4.4	To include in the TOR that the LIWG to have four meetings per year: at least one face to face and three via video conferencing.	NSW DPI	Completed.
4.5	Discuss the benefits and costs of lowering the minimum shareholding to support new entrants at the next meeting.	All	
4.6	Amend the ToR to include the following: • action/s to be followed against any member who misrepresents their role on the working group or breaches the departments code of conduct. • include the Lobster Commfish NSW member as a non-voting member on the LIWG. • observers are only permitted to attend face to face working group meetings.	NSW DPI	Completed.
4.7	LIWG to provide DPI with export sales and price information for inclusion in next year's management report.	LIWG	

4.8	DPI to provide a response on any potential future allocation processes with respect to Octopus.	DPI	
4.9	The LIWG to write to DPI to express the importance of the LIWG and TAFC meetings being face to face for industry.	DPI	
4.10	DPI to provide members a breakdown of costs spent on the 22 May 2024 meeting.	DPI	
4.11	DPI to invite a DPI fisheries service's staff member to the next meeting to discuss options to streamline the process for issuing additional tags.	DPI	
4.12	The proposal to remove the lease limit and requirement to carry a measuring device were supported for DPI to proceed with regulatory changes.	DPI	Completed
4.13	DPI to co-ordinate the working group to meet with Aimee Cavanagh prior to the end of June.	DPI	Completed
4.14	The 2-hour catch report timeframe to be discussed further at the next meeting.	Al.	
4.15	Discussion on the MSC accreditation to be included as agenda item at the next meeting	All	
4.16	Add agenda item to next meeting on whether there is a process that may allow shareholders permitting non-authorised fisher (other lobster fishers) to pull their traps	All	