



**Australian Government**

**Australian Fisheries Management Authority**

# **Bass Strait Central Zone Scallop Fishery Management Advisory Committee (ScallopMAC) Meeting 32**

## **Meeting minutes**

**9 April 2020**

**Teleconference**

## Agenda item 1 Preliminaries

### 1.1 Welcome and apologise

The Chair welcomed members and observers to the meeting and made an Acknowledgement of Country statement recognising the Traditional Owners of the many lands in which we met and payed respect to Elders past, present and emerging.

Attendees	Membership
John Pollock	Chair
Brendan Kelaher	Scientific Member
John Hammond	Industry Member (Tasmania)
Stuart Richey	Industry Member (Tasmania)
Debbie Wisby	Industry Member (Tasmania)
Andrew Watts	Industry Member (Victoria)
Peter Mellios	Industry Member (Victoria)
Dan Corrie	AFMA member
Heather Johnston	Executive Officer
Fiona Hill	Observer, AFMA
Anna Willock	Observer, AFMA
Bob Lister	Invited participant, Industry
Andrew Sullivan	Invited participant, Industry
Apologise	Membership
Sylvia Zukowski	Environment Member

### 1.2 Declarations of interest

The MAC followed the conflict of interest declarations as outlined in Fisheries Administration Paper 12. Members and participants reviewed and updated the Declarations of Interest included at Attachment B

All industry members and invited participants declared a potential conflict with agenda item 4 '2020 biomass survey'. Industry members and invited participants left the meeting while the MAC considered their interests and how they should be managed. The MAC decided they should be part of the discussion and formulating advice, but should not participate in forming any MAC recommendations for agenda item 4.

Members raised concern that management of conflict of interest was moving away from the way in which the meeting had been run in the past. The AFMA member and Chair agreed to have a discussion about how to manage conflicts of interest at future meetings to ensure it aligns with Fisheries Management Paper 1- Management Advisory Committees and provide an update to the MAC.

### **1.3 Adoption of agenda**

The agenda at [Attachment A](#) was adopted by the MAC as final.

## **Agenda item 2 Fishery update**

The MAC noted that further updates will be provided at ScallopMAC 33, including environmental, Tasmanian management and Victorian management updates.

### **2.1 AFMA update**

The AFMA member provided an update on matters relevant to the management of the Bass Strait Central Zone Scallop Fishery (BSCZSF).

- Around \$10 million in AFMA levies have been waived for all Commonwealth fishers, ensuring they do not have to pay the second and third instalments of the 2019/20 Commonwealth levies.
- The Commercial Scallop total allowable catch (TAC) was 75 per cent caught for the 2019 season and zero bycatch and protected species information was reported.
- Fiona Hill has been appointed as senior manager of the Demersal and Midwater Fisheries section.

## **Agenda item 3 ScallopRAG advice for the 2020 Biomass survey**

The Scallop Resource Assessment Group (ScallopRAG) chair and AFMA member presented the ScallopRAG advice from its meeting on 8 April 2020.

The ScallopRAG were asked to provide advice on the potential sustainability risks of not undertaking the 2020 biomass survey, and to consider supporting setting the 2020 Commercial Scallop TAC above the default opening of 150 t in the absence of a 2020 biomass survey.

In formulating its advice, the RAG noted the following:

- The impact of Covid-19 is unprecedented, and under normal circumstances the RAG would recommend following the Harvest Strategy.
- While there is some inherent risk in not undertaking the 2020 biomass survey, these can be managed or mitigated, and some flexibility in the application of the harvest strategy is appropriate to prevent effectively closing the fishery.
- The biomass survey has been undertaken since 2015, which provides a useful time series to support decision making if the 2020 biomass survey was cancelled.
- 2019 was the largest biomass surveyed in recent years, although this is not directly comparable to previous surveys due to an increased number of beds surveyed.

- The 2019 Commercial Scallop TAC was set at 3,897 tonnes, approximately 8.2 per cent of the known biomass, of which 2,931 t, or 75 per cent of the TAC, was caught.
- Four closures were put in place in 2019 which protected approximately 10,189 t of adult scallops, or 22 per cent of the estimated spawning biomass surveyed. This is 7,000 tonnes more than what is required under the Harvest Strategy for a Tier 2 TAC.
- The Bass Strait Scallop Industry Association (BSSIA), in conjunction with Fishwell Consulting, has submitted a proposal to the Fisheries Research and Development Corporation (FRDC) for an industry-led project to collect in-season catch and effort data. However, the data is unlikely to be used to support management decisions in 2020.

In light of the above the RAG provided the following advice on the potential sustainability risks of not undertaking the 2020 biomass survey:

The results of recent biomass surveys show the stock is healthy, and recent catches are sustainable. The risk to sustainability of setting a Commercial Scallop TAC in the absence of a 2020 biomass survey is relatively low, and can be further mitigated by considering additional measures such as:

- additional closures to protect biomass, with a particular focus on beds containing undersized scallops and recent recruitment;
- application of a discount factor to account for the uncertainty in not having a recent biomass estimate; and
- collecting in-season data as a means of monitoring for sudden changes in bed dynamics, including ageing or dying beds, and areas of new recruitment.

ScallopRAG supported setting the 2020 Commercial Scallop TAC above the default opening of 150 t in the absence of a biomass survey, and will consider measures to appropriately mitigate risk when it meets in early May 2020 to recommend a TAC and closures.

### **Agenda item 3 2020 Biomass survey**

AFMA introduced the agenda item, asking the MAC to note ScallopRAGs advice, provide advice to the AFMA Commission on the potential management implications of not undertaking the 2020 biomass survey and consider supporting setting the 2020 Commercial Scallop TAC above 150 t in the absence of a 2020 biomass survey.

The MAC agreed with ScallopRAG's advice, noting the risk to sustainability of setting a Commercial Scallop TAC in the absence of a 2020 biomass survey is relatively low.

In formulating its advice, the MAC noted the following:

#### Commercial Scallop TAC and in-season data collections

- The BSCZSF Harvest Strategy (the Harvest Strategy) requires the annual TAC to be set at 150 t, unless the following criteria are met:

**Tier 1 (1000 t – 2000 t)**

- An area (consisting of one or more defined, substantial beds of scallops) containing not less than 1500 t biomass of scallops of a size limit of 85 mm of high density scallops is closed to fishing for the entire season.

**Tier 2 (above 2000 t)**

- An area (consisting of one or more defined, substantial beds of scallops) containing not less than 3000 t biomass of scallops of a size limit of 85 mm of high density scallops is closed to fishing for the entire season.

- AFMA have received formal requests from industry, including from Mr Bob Lister and Mr Andrew Sullivan on behalf of their respective industry associations, to cancel the 2020 biomass survey;
- The requests to cancel the surveys are due largely to Covid-19 health concerns and industry's their ability to abide by Government guidelines on social distancing and non-essential travel, and this has been supported by the operators of the vessels being considered to undertake they survey this year;
- If the AFMA Commission agree to cancel the 2020 biomass survey, ScallopMAC will be asked to provide formal advice regarding TAC and closures advice in early May 2020 based on a review of recent biomass survey results;
- Twelve vessels fished in 2019, catching only 75 per cent of the available TAC.
- A 150 t Commercial Scallop TAC would represent a 3750 t decrease from the 2019 TAC and have a substantial economic impact. It would effectively represent a closure of the fishery for 2020;
- The potential impact of Covid-19 on market demands (domestic and international), but also the ability for industry to supply these markets if their processing facilities are impacted by Covid-19;
- There is a need to review the BSCZSF Harvest Strategy and AFMA Management are drafting a discussion paper for MAC consideration in June 2020, with the intention to have a revised strategy implemented for the start of the 2021 season;
- Industry have a proven ability to voluntarily implement closures in addition to those formally closed to fishing, typically where beds of small scallops are identified. Committing to do the same in 2020 may provide an extra level of comfort for the Commission when determining the Commercial Scallop TAC;
- The BSSIA intend to commence the FRDC project for an industry-led collection of in-season catch and effort data to assist in biomass surveys during the 2020 season. The project will include training crew to ensure data is being accurately corrected in line with protocols, with ScallopRAG involved in the development of the project. The long term aim

of this project is to demonstrate industry's ability to collect data and undertake surveys, which will provide opportunities and flexibility for industry;

- Industry have a proven ability to collect in-season data and are committed to providing any information that is requested by ScallopRAG;
- To open the fishery in 2020 would be in accordance with what the Prime Minister is asking businesses to do, to keep on doing business where ever possible and keeping people employed;

### Seismic Surveys

- Beach Energy are proposing to undertake a seismic survey for 50 days sometime between July 2021 and July 2023 to the east of the King Island scallop beds. The survey is anticipated to cover an area of 175 km<sup>2</sup> with an operational area of 2272 km<sup>2</sup>;
- The survey area is within the vicinity of known scallop beds and industry, through the two industry associations, have formally advised Beach Energy if they proceed with the survey without recognising the issues raised by industry they will oppose the environment plan once logged with the National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA);
- ScallopRAG and ScallopMAC will consider the schedule of planned seismic activity and if there are any implications for the 2020 TAC and closures at their May 2020 meetings;
- There is currently a Senate enquiry into the effects of seismic activity on the marine environment and the recommendations from this will be handed down in May 2020;
- AFMA Management will continue to work closely with Industry associations and the companies proposing to do seismic surveys to provide information on the fishery to inform the consultation process;
- Both industry associations have requested that Beach Energy pay for a survey in the proposed operational area to determine the extent of the beds, as a means for proving data before the survey;
- The 2020 pre-season biomass survey data may have been useful for a variety of reasons, including providing baseline data before the Beach Energy seismic activity;
- The two Industry Association Executive Officers, Andrew Sullivan and Bob Lister, will update the MAC on the progress of the seismic survey planned by Beach Energy;

In light of the above, ScallopMAC recommended cancelling the 2020 survey and supported further consideration of measures to mitigate the risks. The MAC also supported setting the 2020 TAC above the default opening of 150 t in the absence of a biomass survey.

Additionally, ScallopMAC noted industry concerns regarding the plans by Beach Energy to undertake seismic activity in the area of the fishery and the significant impacts that this would have on the scallop fishery. The MAC resolved for the MAC Chair to write to the AFMA Commission to

highlight industry's concerns and ask that AFMA and the Commission relay these concerns to the relevant Government Agencies.

**Action Item 1:** The ScallopMAC Chair to write to the AFMA Commission to highlight industry's concerns about Beach Energy's planned seismic activity and ask that AFMA and the Commission relay these concerns to the relevant Government Agencies.

## **Close of meeting**

The MAC noted that AFMA would release a public statement and write to concession holders once the AFMA Commission had taken a decision on the 2020 biomass survey. Members were reminded that MAC discussions from the meeting are to remain confidential until the final minutes are published on the AFMA website.

The MAC noted that the Executive officer will contact members to organise the date for ScallopMAC 33.

The Chair thanked the MAC for their contribution to the meeting.

The meeting was closed at 11.25

Signed (Chairperson)

Date:

## Attachment A



Australian Government

Australian Fisheries Management Authority

# Bass Strait Central Zone Scallop Fishery Management Advisory Committee (ScallopMAC) Meeting 32 – 9 April 2020

## Agenda

Time (EDT): 10.00-11.30

Approximate time	Item
10.00	<b>Agenda item 1. Preliminaries</b>  1.1 Welcome and apologies 1.2 Declaration of interests 1.3 Adoption of agenda
10.15	<b>Agenda item 2. Fishery update</b>  2.1 AFMA management 2.2 Industry update
10.30	<b>Agenda item 3. ScallopRAG advice for 2020 biomass survey</b>  <i>ScallopRAG Chair will present a summary the advice provided by ScallopRAG to the AFMA Commission on the potential sustainability risks of not undertaking the 2020 biomass survey</i>
10.40	<b>Agenda item 4. 2020 biomass survey</b>  <i>ScallopMAC to provide advice on the management implications of not completing the 2020 BSCZSF biomass survey</i>  <b>Attachment A – BSCZSF Harvest Strategy</b>
11.30	Close

## Attachment B- register of interest

Name	Membership	Declared interests
John Pollock	Chair	No interest in the fishery pecuniary or otherwise.
Brendan Kelaher	Scientific Member	ScallopRAG Chair. No interest in the fishery pecuniary or otherwise.
John Hammond	Industry Member (Tasmania)	Holds Commonwealth and State concessions.
Stuart Richey	Industry Member (Tasmania)	Holds Commonwealth and State concessions.
Debbie Wisby	Industry Member (Tasmania)	Holds State concessions and leases commonwealth quota. Local council member
Andrew Watts	Industry Member (Victoria)	Holds Commonwealth and State concessions.
Peter Mellios	Industry Member (Victoria)	Holds Commonwealth concession and a processor
Sylvia Zukowski	Environment Member	No interest, pecuniary or otherwise, in the fishery.
Dan Corrie	AFMA member	AFMA employee. No interest in the fishery pecuniary or otherwise.
Heather Johnston	Executive Officer	AFMA employee. No interest in the fishery pecuniary or otherwise.
Fiona Hill	Observer, AFMA	AFMA employee. No interest in the fishery pecuniary or otherwise.
Anna Willock	Observer, AFMA	AFMA employee. No interest in the fishery pecuniary or otherwise.
Bob Lister	Invited participant, Industry	Executive Officer, Scallop Fishermen's Association of Tasmania
Andrew Sullivan	Invited participant, Industry	Executive Officer, Bass Strait Scallop Industry Association

## Attachment C - action items

MAC meeting #	Agenda Item	Action item #	Action Item	Agency/ person	Timeframe	Progress
31	3.1	1	AFMA to bring any comments or questions that arise out of session regarding the budget to subsequent ScallopMAC meeting.	AFMA	Next meeting	To be presented at ScallopMAC 34
31	12	2	AFMA to prepare a discussion paper that includes the matters outlines in the minutes, to inform the review of the BSCZSF Harvest Strategy	AFMA	Next meeting	To be presented at ScallopMAC 34
32	3	1	The ScallopMAC Chair to write to the AFMA Commission to highlight industry's concerns about Beach Energy's planned seismic activity and ask that AFMA and the Commission relay these concerns to the relevant Government Agencies.	Chair/AFMA	As soon as practical	Letter to be drafted upon finalisation of ScallopMAC 32 minutes