



Bass Strait Central Zone Scallop Fishery

Scallop Management Advisory Committee (ScallopMAC)

10 July 2013, Teleconference

MINUTES

Members present

Mr John Pollock	Chair
Mr Stuart Richey	Industry Member (Tasmania)
Mr Steve Mantzaris	Industry Member (Victoria)
Mr John Hammond	Industry Member (Tasmania)
Mr David Jarvis	Permanent Observer (Tasmanian Government)
Mr Steve Shanks	AFMA Member

Apologies

Mr Allan Barnett NB present for initial 10 minutes of meeting	Industry Member (Tasmania)
Mr Darren Fearnley	Industry Member (Victoria)

1. The meeting opened at 10:00am on 10 July 2013.

Agenda item 1.1 – welcome and apologies

2. The Chair, Mr John Pollock, welcomed members to the ScallopMAC teleconference. An Apology was received from Mr Darren Fearnley. The Chair noted that as there were not enough members present to have a quorum, the meeting would provide advice to the Commission noting that a quorum was not present.
3. The AFMA member advised the meeting that the meeting should note that regardless of whether or not a quorum was present the information provided to the AFMA Commission either through formal advice or a recommendation would be advice for the Commission to consider.

Agenda item 1.2 – Adoption of agenda

4. Mr Mantzaris asked if the harvest strategy for the fishery could be added to the agenda. The Chair asked if the AFMA representative was able to speak on the harvest strategy. The AFMA member advised he was able to speak on the matter and it was added to the end of the agenda.
5. The Chair advised that some agenda items from the last meeting (the joint ScallopRAG and ScallopMAC meeting of 26 June 2013) did not strictly adhere to the conflict of interest process specified in *Fisheries Management Paper 1: Management Advisory Committees*. As such, the teleconference had been convened to ensure when considering these agenda items the correct conflict of



interest procedures were followed. In addition to addressing the conflict of interest issues the Chair and the AFMA member advised that the proposed TAC for the 2013 season needed to be confirmed, the proposed area to be opened for the 2013 season required further consideration and the MAC needed to provide advice on the research quota allowance for 2013-14.

6. The AFMA member also advised the teleconference that, as per the email correspondence sent to MAC members, the agreed recommendations from the joint ScallopMAC and ScallopRAG that were not being addressed during the teleconference would stand and be put forward as advice to the Commission for consideration.
7. The AFMA member also noted that the recommendations from the teleconference of 26 June 2013 had been incorporated into a report from ScallopRAG to ScallopMAC. The purpose of preparing the report was to allow ScallopRAG to consider and provide separate advice to AFMA management on proposed management arrangements for the 2013 season (TAC, area to be opened etc). The AFMA member further noted that Dr Ilona Stobutzki, a ScallopRAG member who was unable to attend the meeting of 26 June 2012, wished to note that she was uncomfortable with the report and the process. Specifically Dr Stobutzi considered that ScallopRAG should have met independently to enable separate scientific advice to be provided.

Agenda item 1.3 – Declaration of interest

8. The Chair referred to the declared conflict of interest sheet for ScallopMAC members provided at the meeting of 26 June 2013. Based on the information in the sheet he advised that of those in attendance Mr Mantzaris, Mr Barnett, Mr Richey and Mr Hammond had a pecuniary interest in the BSCZSF. In order to address the procedures for MAC members with a conflict of interest the Chair asked each of the members of the teleconference with a conflict of interest to leave the conference individually. While absent from the teleconference the MAC considered whether it was appropriate for them to participate in discussions for each of the respective agenda items.
9. The MAC agreed that in the case of the four industry members, with a declared conflict of interest, their interests were no lesser or greater than that of any industry member and would not affect their contributions to MAC discussions. All members were invited to rejoin the teleconference.
10. The Tasmanian Government (Invited Participant) also noted that the conflict of interest of each of the industry members on the MAC was proportional to the percentage of the Total Allowable Catch or Statutory Fishing Rights held in the fishery. This comment was noted by the MAC.
11. The MAC also noted the process followed for addressing conflict of interest applied to all the items on the agenda for the meeting.



12. The Chair also advised the meeting that as Mr Barnett was not able to rejoin the teleconference, due to circumstances beyond his control, the teleconference would resume without Mr Barnett present.

Agenda item 2 – The setting of Total Allowable Catch (TAC)

13. Members discussed appropriate levels of TAC for the 2013 fishing season. The MAC confirmed its endorsement of the 1,500 tonne TAC, agreed upon at the teleconference of 26 June 2013. The MAC also acknowledged that it was unlikely that the entire TAC would come from the area that would potentially be open to fishing. The MAC was in agreement that discussion around whether 1,500 tonnes could be taken in the area proposed to be open to fishing for the 2013 season would be considered under agenda item 4.

The MAC recommended a TAC of 1,500 tonnes for the 2013 season.

Agenda item 3 – Research quota

14. The AFMA member advised that the research quota allowance for the 2012-13 financial year was 260 tonnes and a recommendation to the AFMA Commission for a research quota allocation for the 2013-14 financial year was now required.
15. The MAC supported a research quota allocation of 260 tonnes for the 2013-14 financial year. It was noted that the research quota was *in addition* to the 1,500 tonne TAC recommendation and could only be taken in the area of the fishery in the area outside that proposed to be opened for the 2013 season. As the research quota allocation was outside the area proposed to be opened for the 2013 season it was identified there were no sustainability concerns with setting the research quota allocation at 260 tonnes.

The MAC recommended a research quota allocation of 260 tonnes for the 2013 season.

Agenda item 4 – Area to be opened for the 2013 season

16. The Chair called on the AFMA member to present the information concerning the proposed area to be opened that had been circulated to MAC members. The AFMA member explained that following the meeting of 26 June 2013 in consultation with industry a map proposing an area to be opened for the 2013 season had been prepared and circulated to RAG and MAC members. Feedback from the consultation was that the area proposed to be opened had incorporated an area of the fishery that had not been defined as a Viable Area through independent surveying with an IMAS scientist on board. To address the issue raised the AFMA member prepared a subsequent map proposing an area to be



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opened for the 2013 season that only incorporated an area defined as a Viable Area through surveying. The AFMA member went on to explain that in order to comply with the harvest strategy only an area that had been identified as viable by independent surveying with an IMAS scientist on board could be opened to fishing.

17. Industry members of the MAC identified they understood only Viable Areas of the fishery could be opened to fishing under the harvest strategy. In noting this point industry members identified the inadequacies of the harvest strategy in providing the opportunity to fish only in areas where independent surveying had identified Viable Areas existed. It was agreed that this matter would be discussed further under the harvest strategy agenda item.
18. The AFMA member went on to explain that opening a smaller area to fishing for the 2013 season initially would provide greater opportunity to open further areas to fishing, should further viable areas be located.
19. The AFMA member also asked that the record of the meeting note that the area identified as Area 2, in the attached map, would be a no-navigation area for the 2013 season.

The MAC recommended that area 1 (as identified in the attached map) be opened to fishing for the 2013 season.

Agenda item 4 – Review of the Harvest Strategy

20. Based on the initial comments made at the commencement of the meeting by Mr Steve Mantzaris the Chair asked if the AFMA member could update the teleconference on the status of the harvest strategy review. The AFMA member advised the teleconference;
 - The review of the harvest strategy was a two stage process with the initial stage completed in August 2012. In the first stage of the review the strategy was undertaken with an updated and revised version adopted. The second stage of the process was the undertaking of an assessment of the IMAS report *Establishing Fine-Scale Industry Based Spatial Management and Harvest Strategies for the Commercial Scallop* to determine if the findings from the report could be incorporated into the harvest strategy. As the report is only in draft form the second stage of the review has not yet been undertaken.
 - Information from the draft report does not provide any information that would provide the basis for a fundamental change from the current harvest strategy. The report supports the scientific need that there is a need to protect a proportion of dense beds to provide the opportunity for ongoing recruitment in the fishery.
 - At the teleconference of 26 June it was recommended that a ScallopRAG meeting be convened in the next 6 to 8 weeks specifically to discuss and consider the harvest strategy.



21. Mr Mantzaris explained to the teleconference that he did not consider further scientific research would provide information to address the concerns industry had in relation to the harvest strategy. Mr Mantzaris noted that the current strategy needed to be fundamentally changed primarily to prevent mature scallops, that had been provided the opportunity to spawn twice, dying prior to being caught.
22. The teleconference also noted that a harvest strategy had been in place in the fishery for the last 6 or 7 years. Industry members considered the strategy had not been successful in rebuilding the stock. Industry were of the view that environmental factors were the primary influence on stock abundance and the size limit protected and provided the opportunity for fish to spawn prior to becoming vulnerable to capture.
23. Industry members also made the comment that the stock had rebuilt in recent years, but that rebuilding could not be attributed to the management arrangements in place.
24. The AFMA member explained that in the coming weeks he would focus on structuring the agenda for the RAG meeting and relevant documentation in a form that would enable ScallopRAG to develop outcomes that addressed the concerns surrounding the harvest strategy that had been raised. In addition the AFMA member suggested that industry representatives may wish to raise their concerns directly with ScallopRAG at the upcoming meeting and perhaps an industry representative could speak on industry's behalf at the meeting. Members noted that at the meeting of 26 June 2013 all members of ScallopMAC had been invited to attend the next ScallopRAG meeting.
25. Industry members also made the comment that representation on the issues surrounding the inadequacies of the harvest strategy should be made directly to the AFMA Commission. Following discussion on the matter it was agreed that Mr Stuart Richey would draft a letter to the AFMA Commission on behalf of the MAC to be signed by the Chair.

The MAC agreed that the Chair, assisted by Mr Stuart Richey would write to the AFMA Commission on behalf of the MAC highlighting the inadequacies surrounding the current harvest strategy.

Industry would make representations at the next ScallopRAG meeting highlighting their concerns regarding the existing harvest strategy.

The MAC acknowledged that there were a number of concerns with the existing harvest strategy and asked that the record of the meeting be provided to the AFMA Commission to enable them to understand these concerns.



Agenda item 5 – Discussion of 2012 management arrangements

26. The MAC also sought advice from the AFMA member as to why the management arrangements adopted for 2012 could not again be implemented in 2013. The AFMA member explained that in 2012 a one off departure from the harvest strategy, permitting fishing throughout the fishery had been allowed based on advice from ScallopRAG. However, this was a one off departure and would not be permitted in subsequent seasons.

The MAC noted the arrangements for the 2012 season permitting roaming to locate commercially viable scallops was a practical way to enable searching throughout the fishery. ScallopMAC asked that further advice be sought from the AFMA Commission as to why the implementation of this arrangement was a one off event.

27. Prior to the meeting closing an industry member of the MAC sought advice from AFMA on the size limit for doughboy scallops. A number of members noted that they thought a size limit of 80mm applied in the Commonwealth fishery, as this was the size limit in Tasmanian waters where doughboy scallops had traditionally been harvested. The AFMA member said he would take the question on notice and advise members out of session.
28. The AFMA member also advised that 3 applications for research permits had been received and these would be granted shortly.
29. The Chair thanked Members for their contributions.

Meeting ended at 11:30 am.