



Australian Government

Australian Fisheries Management Authority



# Small Pelagic Fishery Resource Assessment Group (SPFRAG)

MEETING RECORD  
SPFRAG 15 (OUT OF SESSION)  
1 MAY 2013

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# SPFRAG MEETING 15 – OUT OF SESSION

<b>Acting Chair</b>	Mr John Pollock
<b>Date and time</b>	1 May 2013, 4:00pm – 5:45pm
<b>Location</b>	Teleconference

## Attendance

### Members and Permanent Observers

John Pollock	Chair
Tim Ward	South Australian Research and Development Institute (SARDI)
Andy Moore	Australian Bureau of Agricultural Resource Economics and Sciences (ABARES)
Denis Brown	Industry member
Gerry Geen	Industry member
Terry Romaro	Industry member
Graham Pike	Recreational/Charter Fishing member
George Day	AFMA member
Kylie Tonon	Executive Officer (AFMA)

### Observers

Steve Shanks	AFMA SPF manager
Giulia Porro	AFMA graduate, SPF

### Apologies

Grant Pullen	Tasmanian State Government
Michael Thomas	Industry member
Jeremy Lyle	Institute of Marine and Antarctic Studies (IMAS)
Jon Bryan	Environment/Conservation member

# ACTIONS ARISING

## Actions arising

1. AFMA to ensure conflict of interest procedures for teleconferences are specified in the revised FAP 12.
2. AFMA and SPFRAG to develop draft guidelines for managing the risk of localised depletion for discussion at the next SPFRAG meeting.
3. AFMA to update the Bycatch and Discard Workplan for 2014-16 to include a statement about the progress of Seal Exclusion Device (SED) trials in the Commonwealth Trawl Sector.
4. AFMA to provide the SPFRAG with a statement of the management arrangements in place for bycatch of SPF species in the South East Trawl fishery.
5. SPFRAG EO to provide SEMAC with a copy of the minutes of the SPFRAG meeting to enable them to consider discussions concerning social criteria in fisheries management at their next meeting.
6. Include Tasmanian allocation of SPF TACs as an agenda item for the next SPFRAG meeting.

# PRELIMINARIES

## 1. Introduction and apologies

The interim Chair, Mr John Pollock, welcomed members and observers to the meeting and noted that most members were present, with apologies from Mr Grant Pullen, Mr Michael Thomas, Mr Jeremy Lyle and Mr Jon Bryan. Mr Steve Shanks was introduced as the new SPF Manager.

## 2. Declaration of interest

Conflicts of interests declared by Members are shown in the Appendix. The only addition was Mr Shanks who declared no conflict of interest.

Mr Brown expressed his concern that the Conflict of Interest policy did not address how a party would know when to re-join a meeting in a teleconference if they are required to hang up while their conflict is discussed. Mr Day advised that a text message will be sent to the person to advise them when to dial back in. Mr Pollock advised that the letter sent by AFMA to MAC and RAG members on 4 September 2012 regarding the conflicts of interest, illustrates options for dealing with them and that the current meeting does not involve any decision making therefore there should be no issues.

**Action Item 1:** AFMA to ensure conflict of interest procedures for teleconferences are specified in the revised Fisheries Administration Paper (FAP) 12.

## 3. Adoption of agenda

SPFRAG adopted the draft agenda with the addition of the following items to be considered:

1. Development of recommendations on preferred methods for estimating DEPM parameters in response to Lyle et al's paper.
2. The availability of SEMAC meeting minutes on the AFMA website.
3. Sardines - allocations between NSW and the Commonwealth and action in response to operator concerns.
4. Developing guidelines to managing any risk of localised depletion

The SPFRAG agreed the majority of these items would be discussed under Agenda Item 11: Other Business. The SPFRAG decided that it would be better to discuss localised depletion guidelines at another SPFRAG meeting later in the year. It was recommended that AFMA, in consultation with the SPFRAG, develop some draft guidelines before the meeting for discussion.

**Action Item 2:** AFMA and the SPFRAG develop draft guidelines for managing the risk of localised depletion for discussion at the next SPFRAG meeting.

# MANAGEMENT ISSUES FOR DISCUSSION

## 4. AFMA Management Update

Mr Shanks provided an update on several management issues.

- 1) The Commission has determined the total allowable catches (TACs) and overcatch and undercatch provisions of 10% for the 2013-2014 season which commenced on 1 May. The Commission also requested that SPFRAG develop guidelines to deal with localised depletion.
- 2) The jigging fishing method will be trialed throughout the 2013-2014 season and if the method is effective, AFMA will consider introducing it as a permanent SPF fishing method.
- 3) SPFRAG and the SEMAC membership appointments expire on 30 June 2013. Application documentation for the SPFRAG has been sent to all existing members should they wish to re-apply. SPFRAG appointments will be made for three years and applications are due on 15 May 2013. AFMA has also sent correspondence to recreational fishing bodies and environmental groups to seek applications for RAG and MAC membership.
- 4) AFMA has written to NSW and Victoria to seek catch sharing arrangements for Australian sardine.

## 5. Recreational and Commercial Sector Update

Mr Pike stated that recreational fishing issues were covered by the agenda items.

Mr Brown stated that the East Australian Current had been strong this year and had provided for movement of small pelagic stocks offshore down the NSW coast to Tasmania. Mr Brown added that stocks were moving further south than traditionally, an example being the sighting of skipjack tuna off Tasmania. The scientific member advised that it was not possible to say whether stock movement southward was due to global warming.

Mr Romaro updated the SPFRAG on small pelagic species on the west and south coast of Australia. The meeting was advised that spotters for southern bluefin tuna had seen large aggregations of blue mackerel.

Mr Pollock raised the question of whether there was any value in recording anecdotal observations. Assoc Prof Ward stated that they are interesting observations and do help interpret science, however the data would be of more benefit if combined with an egg survey data.

## 6. Action Items from SPFRAG 14

The SPFRAG noted the progress made on action items arising from the SPFRAG 14 meeting, as detailed in the agenda papers.

## 7. Bycatch and Discard Workplan 18 month review

Mr Shanks asked the SPFRAG if there was anything members wished to add to the action list of the Bycatch and Discard Workplan as part of the review of the document. Ms Tonon elaborated on the purpose of the Bycatch and Discard Workplan, explaining that the document needed to be updated by September 2013.

Mr Pike raised the concern that there has been no progress on the trial and use of Seal Excluder Devices (SEDs). Mr Shanks advised that there has been no midwater trawl fishing effort in the SPF to enable SEDs to be trialed, and that as soon as fishing operations commence, trialing can be undertaken to ensure SEDs were configured correctly to ensure their effectiveness in preventing seal interactions. Mr Shanks also advised that the action list in the workplan would be updated with the preliminary results of SED trials in the Commonwealth Trawl Sector. Mr Shanks advised that although there is a slight difference in net dimensions for vessels operating in the Commonwealth Trawl Sector, trialing should not differ significantly in the SPF.

**Action Item 3:** AFMA to update the Bycatch and Discard Workplan for 2014-16 to include a statement about the progress of Seal Exclusion Devices (SED) trials in the Commonwealth Trawl Sector.

Mr Brown raised a concern about the situation of bycatch and discards of SPF species in other fisheries, in particular the South East Trawl fishery. Mr Day advised that there are arrangements in place if SPF species are taken in other fisheries and that AFMA can provide further details on these arrangements.

**Action Item 4:** AFMA to provide the SPFRAG with a statement of the management arrangements in place for bycatch of SPF species in the South East Trawl fishery.

## 8. SPF SFR Conditions for 2013-2014

The SPFRAG noted the amendments made to the SPF statutory fishing right (SFR) conditions for the 2013-2014 season.

## 9. Social Criteria in fisheries management and the SPFRAG

Mr Pike explained that the issue of social licence to operate (SLO) arose when considering ecosystem based fisheries management (EBFM) and it is increasingly accepted that social licence is going to be required in fisheries management. He stated that just as the environment had increasingly become a major consideration for AFMA in its operations, SLO must now also be actively included.

Mr Pike explained that a *Science* paper in 2004 stated that social criteria must be considered and balanced in EBFM and that at present this was not occurring, despite the fact that private enterprise and governments are including SLO as an integral requirement of natural resource management. He also stated that the FRDC has actively promoted EBFM for a number of years. Mr Pike said there was a very strong feeling in the recreational fishing community that the 'supertrawler' would not have become a major issue if it had initially had a social licence. Mr Pike further explained that this issue has also been raised in the Borthwick review and as a result, considered it likely to lead to legislative changes.

Although this issue was not considered a matter for the SPFRAG under current legislation and policy, Mr Pike suggested that the SPFRAG should think ahead and look at social criteria in discussions concerning research and its possible social impacts. Mr Pike suggested that there would be implications for the SPFRAG and as such the group should be looking to create a debate on the matter in AFMA and its committees. A number of members considered the issue of social licence to operate in fisheries management was not a matter for the SPFRAG and should be referred to SEMAC for consideration.

Mr Shanks advised that DAFF is the lead agency for the Borthwick review and until such time as AFMA is provided with some direction on how the recommendations from the Borthwick review are to be dealt with by the government or the Minister, it is difficult to determine how to proceed with the social licence issues that have been raised as part of the review.

Mr Day advised that he did not support Mr Pike's recommendation of referring the matter of social licence to SEMAC at this stage because AFMA acts under a legislative framework that provides in relation to social considerations: "*decision making processes should effectively integrate both long term and short term environmental, social and equity considerations*". The point was raised that legislative objectives may change when the Borthwick review is finalised, however at present AFMA is restricted on how it is able to address social concerns that are not linked to or have a scientific basis. Consequently, AFMA is not currently looking for advice from SPFRAG or SEMAC on legislative requirements.

The SPFRAG agreed that the issue of social licence/criteria should be left to SEMAC to decide if they would like to consider the matter in the context of fisheries management discussions.

**Action Item 5:** SPFRAG EO to provide SEMAC with a copy of the minutes of the SPFRAG meeting to enable them to consider discussions concerning social criteria in fisheries management at their next meeting.

## 10. Calculation and Justification of Tasmanian allocation of SPF TACs

Mr Pike requested a description of the calculation and justification of Tasmanian allocation of SPF TACs. The purpose of this item was to ensure the SPFRAG understood how Tasmania apportioned total allowable catches (TACs) of small pelagic species.

In the absence of the Tasmanian representative, Mr Day briefly described the AFMA process whereby AFMA allocate SPF SFRs for small pelagic species on an east and west split with Tasmanian catches of SPF species taken into account, along with the other state catches, when setting TACs by deducting these catches from the recommended biological catches (RBCs) put forward by the SPFRAG. When asked where information on state catches comes from, Mr Day advised the group the data is provided by the states.

Mr Geen explained that there is single quota system in place for Tasmanian licence holders targeting small pelagic species in state waters. Mr Geen explained that fish taken were decremented from the RBC when setting the Commonwealth TAC for small pelagic species.

The SPFRAG agreed to defer further discussion on this item until Grant Pullen was available at the next SPFRAG meeting to provide insight on how TACs for small pelagic species in Tasmania were set.

**Action Item 6:** Include an agenda item on Tasmanian allocation of SPF TACs on the next SPFRAG meeting.

## 11. Other Business

### 1. Development of recommendations on preferred methods for estimating DEPM parameters

Mr Pike stated that the IMAS review of the Niera report by Jeremy Lyle et. al (2012) recommended that the “SPFRAG should review the data available on SPF species, along with the DEPM literature, to develop recommendations on preferred methods for estimating each of the DEPM input parameters”. Mr Pike asked about the status of this project.

Assoc Prof Ward advised that he had written an expression of interest seeking Fisheries Research and Development Corporation (FRDC) funding to improve the methodology used in the DEPM. The expression of interest has gone to the Commonwealth Fisheries Research Advisory Body (ComFRAB) and the South Australia Fisheries Research Advisory Board (SAFRAB) and Assoc Prof Ward has been asked by FRDC to submit a full proposal on the project to both groups by 1 September 2013.

### 2. SEMAC Minutes

Mr Pike requested the minutes from the last SEMAC meeting be made available on the AFMA website. Ms Tonon advised that they should already be up on the website and will make sure they can be accessed through the AFMA website.

### 3. Sardine

Mr Brown raised his concerns regarding the current Commonwealth Harvest Strategy Policy requiring state catches to be deducted from the RBCs to establish TACs for SPF species and the apparent lack of progress with progressing resource sharing arrangements with the states on Commonwealth species. Mr Brown further noted that the Commonwealth TAC in 2008-09 was 2800 tonnes which has now been reduced to 270 tonnes. He also referred to the letter from an industry member stating that he needed a minimum 500 tonne sardine quota allocation to enable his operations to be financially viable.

Mr Brown considered the current situation to be unacceptable, believing AFMA had a responsibility to its stakeholders to provide an equitable share of the resource based on a sustainable harvest. In the context of this issue, Mr Brown stated AFMA should identify its policy approach towards implementing equitable resource allocation between the states and the Commonwealth.

Mr Shanks advised AFMA had written to the states seeking discussions on resource allocation of Australian sardine, stating the next stage of the approach on this matter would be determined when the states respond. Mr Shanks elaborated on the matter by advising that the states have jurisdiction for SPF species in coastal waters which prevents the Commonwealth implementing management arrangements for SPF species in these waters. Mr Day further advised that AFMA had only recently

engaged with Victoria on catch sharing of Sardine as catches had increased over the last two years.

Mr Brown suggested that AFMA was required to provide an equitable share of the resource from Commonwealth waters to the Commonwealth stakeholders, irrespective of the status of negotiations with the states. Mr Brown explained that between 1985 and 1996, the States at fisheries council had requested that AFMA not issue any more permits for species in Commonwealth waters as this would potentially reduce the share of the resource allocated to individual operators under an OCS arrangement. Mr Brown suggested that a similar situation was now occurring with Australian sardine.

Mr Day pointed out this matter had been discussed at previous SPFRAG meetings and the RAG concluded that this allocation matter was a MAC issue. Mr Day stated that AFMA has engaged the states on the issue and that catches for Victoria had increased in recent years. Mr Day advised the RAG that AFMA was making significant efforts to resolve the issue.

Mr Pollock identified that the RAG would not be able to resolve this issue. However, the SPFRAG can acknowledge this is a serious matter and refer the issue to SEMAC and the Commission for further consideration as a matter of urgency.

Mr Pike suggested that AFMA should request the Commonwealth Fisheries Minister to approach the NSW Fisheries Minister and SPFRAG should re-iterate concerns to AFMA in writing. Mr Brown outlined three issues that need to be highlighted:

1. The way that the current Harvest Strategy disadvantages Commonwealth operators
2. Support for resource sharing negotiations with the States
3. Request a response from AFMA clarifying its obligations to its stakeholders in achieving equitable access.

In relation to the first point, Mr Day stated that the way the Commonwealth TAC is calculated from the RBC is defined in the Commonwealth Harvest Strategy Policy which is currently being reviewed. Mr Day stated that he agrees with the second point however a response on the third point would not assist that process and was outside the scope of the RAG's roles and responsibilities.

## **CLOSURE**

### **12. Meeting closure**

AFMA will arrange a meeting time and date for the next SPFRAG meeting out of session. The meeting closed at 5:45pm

## APPENDIX: SPFRAG 15 Declared Conflicts of Interest

Participant	Interest declared
John Pollock	No financial interest in fishery. Participated in the SPF Independent Allocation Advisory Panel.
Tim Ward	Role of science leader for the fisheries science program in SARDI. Conducts research for State fisheries and leads the Pelagic fisheries research team. Member of South Australia Sardine Fishery Industry research / management committee.
Andy Moore	Employed by ABARES which has done, and may do in future, research under contract on small pelagic fish species. No pecuniary interest
Graham Pike	No direct or indirect financial interest. Interested in the conservation and health of the natural resources on which the recreational and charter fishing industries depend
Denis Brown	Holder of SPF SFRs for Redbait, Blue Mackerel and Jack Mackerel in the Eastern and Western Zones, and Australian Sardine in the Eastern Zone. Director of corporate entities with holdings of SPF SFRs for Redbait, Blue Mackerel and Jack Mackerel in the Eastern and Western Zones, and Australian Sardine in the Eastern Zone; and Pelagic Fish Processors plant at Eden. Peripheral involvement with research on small pelagic fisheries. Member of NSW Research Advisory Working Group and the NSW Ocean Haul Management Advisory Committee. Peripheral interest of financial benefits of activities in the SPF through quota holdings.
Gerry Geen	Director of Seafish Tasmania Pty Ltd that holds SPF SFRs for Jack Mackerel, Redbait and Blue Mackerel in the Eastern and Western Zones. Holds four Tasmanian purse-seine Jack Mackerel Permits; and four zone A purse seine permits.
Terry Romaro	Director of a corporate entity with holdings of SPF SFRs for Redbait, Blue Mackerel and Jack Mackerel in the Eastern and Western Zone. Permit holder in the Western Australian Purse Seine Pilchard Fishery and the Coral Sea Trawl Fishery. Contracted services to AusAsia. Member of TTMAC and participant in SBTMAC.
George Day	Works for AFMA, no financial interest
Steve Shanks	Works for AFMA, no financial interest
Kylie Tonon	Works for AFMA, no financial interest
Giulia Porro	Works for AFMA, no financial interest