



Australian Government

Australian Fisheries Management Authority



Small Pelagic Fishery Resource Assessment Group (SPFRAG)

MEETING RECORD
SPFRAG 16
11 NOVEMBER 2013

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SPFRAG MEETING 16

Chair	Dr Kirsten Davies
Date	11 November 2013
Time	9:20am to 3:45pm
Location	AFMA Canberra Office 73 Northbourne Avenue, Canberra

Attendance

Members and Permanent Observers

Kirsten Davies	Chair
Tim Ward	South Australian Research and Development Institute (SARDI)
Andy Moore	Australian Bureau of Agricultural Resource Economics and Sciences (ABARES)
Jeremy Lyle	Institute for Marine and Antarctic Studies (IMAS)
Denis Brown	Industry member
Gerry Geen	Industry member
Terry Romaro	Industry member
Graham Pike	Recreational/Charter Fishing member
Steve Shanks	AFMA member
Kylie Tonon	Executive Officer (AFMA)
Grant Pullen	Tasmanian State Government

Observers

Doug Ferrell	NSW State Government
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Apologies

Michael Thomas	Industry member
Jon Bryan	Environment/Conservation member

OUTCOMES

Actions arising

SPFRAG Chair to write a letter to AFMA's CEO to explain the need for transparency and consistency between the work of SPFRAG and that of the Expert Panel on the Declared Commercial Fishing Activity that is the subject of the Final (Small Pelagic Fishery) Declaration 2012

1. This letter should request an interim report from the Expert Panel.
2. SPFRAG Chair to write to the directors of fisheries in NSW and Victoria to request their assistance in providing fishery catch data for management and integrated fishery assessment purposes. This letter should also outline the level of detail required and timeframes for delivery of the data to SARDI.
3. A/Prof Ward to coordinate a structured and targeted small pelagic sampling program across jurisdictions. This program should include the involvement of AFMA observers collecting data on bycatch of SPF species in other Commonwealth fisheries.
4. SPFRAG Chair to write to PIRSA to request that the SPFRAG is provided with a copy of the FRDC report examining social performance indicators in fisheries.
5. AFMA to amend the 2013-2015 SPF Bycatch and Discarding Workplan to include an assessment of bycatch of SPF species in other fisheries and how this affects the management arrangements/stock information in the SPF. AFMA to circulate a revised Workplan out of session for adoption as well as the Vessel Management Plans.
6. AFMA to report at SPFRAG 17 on the progress of catch sharing discussions with Tasmania and other relevant States on small pelagic species AFMA to update the SPF strategic research plan and the annual research statement in consultation with A/Prof Ward and Mr Moore.
7. SPFRAG members to provide their constituents with the opportunity to comment on the draft definition of localised depletion in the SPF, developed at SPFRAG 16. SPFRAG to consider these comments and aim to agree on a collective definition of localised depletion at SPFRAG 17.
8. AFMA to develop a short paper informing the three management measures raised at SPFRAG 16 for further reducing the risk of localised depletion in the Small Pelagic Fishery on species/sectors, following the development of a definition of localised depletion, for discussion at SPFRAG 17. The three management measures raised at SPFRAG 16 were:
 - Zoning to limit catches from large areas fisheries (eg zones in South Australian Sardine Fishery)
 - Spatial and/or temporal closures to protect predators (eg around central place foragers) and fisheries (eg key fishing grounds, reefs)

- Move on rules to limit catch from small areas (eg size of foraging areas, grids, geographically constrained locations such as bays).
9. Individual SPFRAG members to submit comments on the revised draft Fisheries Administration Paper 12 to AFMA by 29 November 2013.

Outcomes and Recommendations

10. SPFRAG endorsed the final report of the 2011-2013 SPF Bycatch and Discarding Workplan.
11. SPFRAG agreed to endorse the 2013-2015 Bycatch and Discarding Workplan subject to an amendment that will include an assessment of bycatch of SPF species in other fisheries and how this affects the management arrangements/stock information in the SPF. Following this inclusion, the draft Workplan will be circulated for out of session endorsement.
12. A/Prof Ward recommended that sampling 30-50 fish from 10% of shots has been an appropriate standard for the South Australian Sardine Fishery and should be adopted throughout the SPF.
13. SPFRAG recommends that a minimum 500 tonnes' TAC should be set for Australian sardine in the SPF as an interim arrangement until formal catch sharing arrangements are established with the other jurisdictions.
14. The next SPFRAG meeting has been tentatively set for 11 and 12 March 2014.

PRELIMINARIES

Introduction and apologies

Dr Davies, welcomed members and observers to the meeting and acknowledged the traditional land owners. The SPFRAG noted apologies from Mr Thomas and Mr Bryan.

Declaration of interest

Conflicts of interests that were declared by Members are shown in Appendix 1.

Mr Geen, Dr Lyle and Mr Romaro sought to obtain from Mr Pike the names of the recreational fishing related associations he was representing and those of which he was a member. They said they wanted these affiliations and associations because it was important to know what vested interests might be involved given the proven capability of recreational fishing organisations to shut down the commercial fishing industry, as demonstrated in 2012. Mr Pike said that he is a member of and affiliated with numerous recreational fishing organisations, including Recfish Australia, but that his many memberships and affiliations were irrelevant in the SPFRAG context because AFMA policy states that RAG members are not appointed as representatives of a particular sector or interest groups and, once appointed, must act in the best interest of the fishery. Mr Pike said that was consistent with what he had declared many times before: his interest was in the conservation and health of the SPF's natural resources on which the recreational and charter fishing industries depend. Dr Davies explained that she could not compel RAG members to declare their memberships and affiliations; it was up to individuals to declare whether they think they have a conflict of interest or not. If they decide they do have a conflict, they have the opportunity before the agenda item to declare any further conflicts. Dr Davies urged all members to take a cautious approach by declaring all possible conflicts and to remove themselves from the room and discussions if they believe they have a conflict. Mr Geen again requested Mr Pike to declare his affiliations. Dr Davies requested that all members reflect on their conflict of interest declarations to ensure they were adequate. She explained that individuals could not be forced to declare anything; rather it is their ethical responsibility to declare potential conflicts of interest.

There was a following discussion concerning the nature of commercial, recreational and environmental membership of the RAG. For example, it is the role of commercial representatives to nurture an economically sustainable industry in which they also have personal investment and therefore pecuniary conflicts exist. This tension of conflict could result in all commercial representatives leaving the room for most discussions. They added that part of their roles was to liaise between AFMA and

industry which requires exchanging knowledge, including reporting back to the sector. Equally, Mr Pike explained that it was his role to liaise with his constituent recreational and charter fishing sectors just as it was the role of the Conservation member to liaise with his constituent environmental and conservation bodies. A/Prof Ward and Mr Pullen said that they could not see an issue because in general terms, all SPFRAG members knew who was representing what sectors and 'where they were coming from in SPFRAG discussions'. Further discussions on the Conflict of Interest matter were postponed until the subsequent Agenda Item dedicated to the draft new FAP 12.

Expert Panel Update

Dr Nick Rayns, Executive Manager Fisheries joined the meeting to provide a general update on various management issues that may affect the RAG.

Dr Rayns explained that an Expression of Interest process to renew the membership of the AFMA Commission which expires on 30 June 2014 will be undertaken by the Department of Agriculture and the current Commission's last meeting is in February 2014.

Dr Rayns explained the Department of Agriculture is currently considering the fisheries policy reviews of the Commonwealth Harvest Strategy and Bycatch Policies and the Borthwick review. Dr Rayns expects the Department of Agriculture to resolve the next steps in the coming weeks.

Dr Rayns also explained that the Expert Panel is due to report its findings in October 2014 and it is not expected the Panel's findings will be made available prior to this date. AFMA has provided the panel with large amounts of information relevant to their review and will continue to update the panel of any decisions or recommendations that may be related to their investigation. Dr Rayns expects that the Expert Panel will make the SPFRAG aware if there is any overlap or duplication and that the RAG should continue to provide their best advice to the AFMA Commission.

In relation to the issue of localised depletion, both Dr Rayns and A/Prof Ward expressed their understanding that advice from the Expert Panel is likely to be high level options, whereas the SPFRAG has the expertise to provide practical fisheries management advice on implementing measures to address localised depletion. Dr Rayns also highlighted that localised depletion is relevant in other fisheries.

Dr Rayns supported a suggestion for the RAG to write to the AFMA CEO outlining that the RAG will continue to provide their best advice and keep the Expert Panel informed of their recommendations and research priorities to ensure there is a level of transparency between the processes of the RAG and the Expert Panel. Dr Rayns suggested that it would also be helpful to gain an interim report from the Panel.

ACTION ITEM: SPFRAG Chair to write a letter to AFMA’s CEO to explain the need for transparency and consistency between the work of SPFRAG and that of the Expert Panel. This letter should request an interim report from the Expert Panel.

SPFRAG 15 Action Items

The SPFRAG addressed the 17 action items from previous meetings.

- 1) *AFMA develop a policy statement on the management of audio-recordings of meetings .*

Status: **Ongoing**

SPFRAG recommended that the Fisheries Administration Paper 12 should be added to ‘Other Business’.

- 2) *AFMA and ABARES to compile information about abundance of predator species to inform future RBC discussions.*

Status: **Ongoing**

Ms Tonon stated that AFMA compile various information and studies demonstrating these predator-prey interactions and identify possible ecosystem indicator species.

- 3) *AFMA to make a formal request to NSW for a permanent NSW observer at future SPFRAG meetings.*

Status: **Complete**

Mr Doug Ferrell from NSW DPI confirmed that Mr John Stewart, who works in NSW DPI’s Small Pelagics’ section will be representing NSW DPI as a permanent observer on SPFRAG after the current meeting. Mr Ferrell will confirm these arrangements in a letter to AFMA.

- 4) *The SPFRAG to separate out the catches of Yellowtail Scad in the annual fishery assessment report and Tim Ward to include an assessment of yellowtail.*

Status: **Ongoing**

A/Prof Ward confirmed that these items will be included in the next Assessment Report.

- 5) *SARDI to assist industry to develop a format to collect survey data to incorporate in the fishery assessment report.*

Status: **Ongoing**

Mr Shanks explained that AFMA and SARDI have set up a sample collection system with the active fisher for collection of Sardines. Mr Shanks understands that there

have been two boxes of fish containing 10-12 bags with 10-15 sardines in each bag from every shot.

A/Prof Ward suggested that 10% of shots with 30 fish samples taken for these shots gives a good idea of size and age distributions.

Mr Ferrell mentioned that he understood that samples are also being collected at Eden. Mr Brown explained that in Eden the operators used to sample about 30 fish from every landing. A/Prof Ward highlighted the importance of working between jurisdictions to get appropriate samples. This has been trialed numerous times but has been unsuccessful as agencies and processes have not followed through.

A/Prof Ward agreed to coordinate an inter-jurisdictional sampling program by re-instigating previous sampling arrangements. He proposed that it would be beneficial if SPFRAG sent a letter to the jurisdictions asking for their assistance in an integrated assessment process. Mr Shanks recommended this letter is sent by AFMA. The letter should request that each jurisdiction nominates a contact liaison person who coordinates the sampling regime. Mr Shanks noted that Sardine is the focus at the moment, but if fishing effort increases, other species will also need collecting.

ACTION ITEM: A/Prof Ward to coordinate a structured and targeted small pelagic sampling program across jurisdictions. This program should include the involvement of AFMA observers collecting data on bycatch of SPF species in other Commonwealth fisheries.

6) *A/Prof Ward to include annual catches by jurisdiction in future Sardine RBC presentations*

Status: **Ongoing**

A/Prof Ward confirmed that these items will be included in the next Assessment Report.

7) *AFMA to progress catch sharing arrangements with NSW and Victoria.*

Status: **Ongoing**

SPFRAG agreed that this would be covered under SPFRAG15 Agenda Item 14.

8) *AFMA to ensure conflict of interest procedures for teleconferences are specified in the revised FAP 12.*

Status: **Ongoing**

SPFRAG recommended that Fisheries Administration Paper 12 is added to 'Other Business' items.

9) *AFMA and SPFRAG to develop draft guidelines for managing the risk of localised depletion for discussion at the next SPFRAG meeting.*

Status: **Ongoing**

SPFRAG agreed that this would be covered under SPFRAG 15 Agenda Item 9.

10) 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.

Status: **Complete**

SPFRAG agreed that this would be covered under SPFRAG 15 Agenda Item 10.

11) 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.

Status: **Complete**

SPFRAG agreed that this would be covered under SPFRAG 15 Agenda Item 5.

12) 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 SEMAC's next meeting.

Status: **Complete**

Mr Shanks explained that the minutes were provided to SEMAC and social licence was discussed at the last SEMAC meeting. SEMAC thought that there was no clear definition of social licence or is it covered by legislation and until then they are not in a position to discuss it further at this stage.

A/Prof Ward added that PIRSA had recently done a FRDC project on social performance indicators in fisheries which the SPFRAG should look at when it becomes available.

ACTION ITEM: SPFRAG Chair to write to PIRSA to request that the SPFRAG is provided with a copy of the FRDC report examining social performance indicators in fisheries.

13) Include Tasmanian allocation of SPF TACs as an agenda item for the next SPFRAG meeting.

Status: **Complete**

SPFRAG agreed that this would be covered under SPFRAG 15 Agenda Item 12.

14) PIRSA to write to AFMA to formally request data on TEP interactions and information about Sardine bycatch. A member of SPFRAG requested that PIRSA provide a copy of letter to SPFRAG.

Status: **Ongoing**

A/Prof Ward explained that this was a request of Mr Paul Watson, South Australian Sardine Industry Association at an earlier meeting and it was agreed as an action item.

A/Prof Ward suggested that he would mention it to PIRSA but this is not an action item for the RAG to follow up on. This was generally agreed by the group.

15) Jon Bryan to provide SPFRAG with details of research referred to in his paper on Lanternfish and AFMA observers will note the presence or absence of Lanternfish in catches.

Status: **Ongoing**

Dr Davies mentioned that unfortunately Mr Bryan was unable to attend this meeting or provide a proxy to address this action item. Dr Davies suggested that RAG members could nominate proxies in case they are unable to make a meeting. Ms Tonon explained that any proxy would have observer status.

16) Jeremy Lyle to check if there is a possibility that the biomass estimate for Yellowtail scad needs to be refined based on new genetic information that suggests some overlap in the size range of Yellowtail scad and Jack mackerel eggs.

Status: **Ongoing**

Dr Lyle suggested that he would need a copy of the report from NSW to complete this item. A/Prof Ward explained that there are proposals with FRDC looking at genetic identification of eggs that may be useful.

Mr Geen was keen to hear about the close kin genetics study for Southern Bluefin Tuna and if this could be used for Sardine to estimate population size. A/Prof Ward and Mr Moore explained that there are too many fish in the SPF compared to Southern Bluefin Tuna and the SPF does not make the money for it to be worthwhile.

17) AFMA to consult with States regarding confidentiality arrangements for State catch data and to streamline the provision of data including dates for delivery. AFMA to seek multi-year confidentiality deeds with relevant States to allow data to be presented at SPFRAG and SEMAC meetings for the purposes of determining RBCs and total allowable catches (TAC). AFMA is also to seek agreement on the disclosure of State data in the Fishery Assessment Report. AFMA to seek to have confidentiality arrangements apply to all of the 'project team', rather than one particular agency.

Status: **Ongoing**

Mr Shanks stated that there have been previous issues with receiving the data from the State fishery agencies for the Annual Assessment and TAC setting process. SARDI now collects the data from the state agencies which helps solve this issue. A/Prof Ward explained that there are still difficulties getting the data with the detail and timeframe that SARDI would like.

Mr Ferrell explained that NSW comes under a new Privacy Act and there is one interpretation that this means that catch and effort data cannot be released outside their agency, but they are awaiting the final ruling as there is contrary advice.

ACTION ITEM: SPFRAG Chair to write to the directors of fisheries in NSW and Victoria to request their assistance in providing fishery catch data and samples for management and integrated fishery assessment purposes. This letter should also outline the level of detail required and timeframes for delivery of the data to SARDI.

ISSUES FOR INFORMATION

AFMA Management Update

Mr Shanks explained that catches in the SPF continue to be low in 2013. Mr Shanks also mentioned that AFMA has uploaded catch data for most Commercial fisheries online including SPF CDR data for 2011. Ms Tonon explained that it was not compulsory to complete CDRs before this time. Mr Geen also mentioned that CDRs did not exist in the fishery before this time. Ms Tonon explained that the logbook data will also be uploaded shortly.

In response to some confusion at the last SPFRAG meeting about whether or not South East Trawl (SET) operators could take SPF species, Mr Shanks explained that the South East Trawl sector is not allowed to catch SPF species unless they are covered by SPF quota. The SET Boat SFR conditions have been changed so that there is no longer any confusion.

A/Prof Ward suggested that it would be more beneficial to make a concerted effort over the next 12 months to sample SPF species bycatch taken in other fisheries in a planned and systematic way with a clear objective, such as finding out where the large spawning Jack Mackerel adults are. This information would assist the SPFRAG in determining where a DEPM survey should be undertaken.

The SPFRAG agreed that it would be beneficial to ascertain the level of SPF species bycatch from AFMA observers. Mr Brown suggested that the best way to understand the amount of small pelagic species bycatch in the SET would require AFMA examining logbook data from a particular concession holder who has caught significant amounts of SPF species. Catches from the individual would be indicative of the amount of SPF species that are caught as bycatch in SET operations.

AFMA agreed to provide SARDI with the observer and logbook data for other Commonwealth fisheries which have caught SPF species as bycatch. A/Prof Ward agreed to include an analysis of this data in the fishery assessment report.

ACTION ITEM: A/Prof Ward to coordinate a structured and targeted small pelagic sampling program across jurisdictions. This program should include the involvement of AFMA observers collecting data on bycatch of SPF species in other Commonwealth fisheries.

In relation to an update on the sampling regime, A/Prof Ward explained that the samples are currently being worked through and that the SPF operator that is collecting the samples will receive a signed copy of the Fishery Assessment report.

Sectoral Updates

Mr Geen suggested there was virtually no fishing happening in the fishery. He mentioned that the Productivity Commission had recently produced a report on the Regulatory Engagement with Small Business that highlighted the concern that the owners of the FV *Abel Tasman* had gone through all the required regulatory processes, and were ready and able to proceed, only to have parliament intervene to stop the vessel operating in Australian waters. Mr Geen noted that this intervention was characterized by the Productivity Commission as “worst practice regulation” by over-riding the advice of a competent regulator employing an appropriate risk based decision framework.

Mr Brown mentioned that there is a relatively low level of catch coming out of Iluka and there are substantial amounts of small sardine being caught in the south and large portion of this are mixed sardines. Mr Brown explained that more sardines have moved to human consumption markets since the loss of the fish processing factory in Eden in 2010 however the mixed size is problematic for commercial sale of the product. Mr Brown also explained that Blue Mackerel are very patchy, but are being caught by small boats in shallow inshore areas.

Mr Pike said he was aware of many thousands of short-tailed shearwaters (mutton birds) being washed up recently on beaches between South East Queensland and Southern New South Wales and suggested that the only other times that he had seen such a large number of Mutton bird deaths was in 1995 and 1999 when there were large sardine kills right around the southern half of Australia. Mr Brown added that unusually, the birds were flying north instead of south in massive numbers in the days leading up to the mortalities.

Mr Pike said that many in the game fishing community are concerned about a lack of research, especially relating to localised depletion, including movement, population recovery rates and resident Jack Mackerel populations. He explained that in Tasmania there are also concerns that a developmental Sardine fishery has possibly been approved without adequate research on the target populations.

Mr Ferrell explained that the NSW fishery for small pelagics hasn't changed much from previous years and noted that NSW is looking to formalise arrangements with the Commonwealth on bait gathering.

A/Prof Ward stated that there will be no major changes in the TAC for the South Australian Sardine Fishery (SASF). Due to catches of small fish from the Southern Spencer Gulf, the SASF has been split into sub-zones, which limits catches in each

zone. In response to concerns about research, A/Prof Ward highlighted that Dr Tony Smith's project is going ahead and that sardine movements have been studied, however it is a complicated pattern and not consistent between years. He suggested that there are ways to minimise the risk of localised depletion without doing large studies that may not conclude much.

Mr Moore mentioned that the Status of Key Australian Fish Stocks report will be produced again next year, looking at a larger number of fish stocks across jurisdictions.

Harvest Strategy Settings - CSIRO Project

A/Prof Ward explained that the Harvest Strategy Settings Review Project will be looking at using a variety of ecosystem and population models to examine the exploitation rate reference points in the SPF Harvest Strategy for each species. The main focus will be on the appropriateness of the reference points for Jack Mackerel and Redbait. These species are longer lived and less productive, however they may have lower trophic significance which may cancel out the need for more conservative exploitation rates. A/Prof Ward also explained that there have been difficulties in getting Dr Andre Punt's student into Australia to undertake the required work but once the study gets going, it should not take too long to complete.

ISSUES FOR DISCUSSION AND ADVICE

Localised depletion

Mr Shanks explained that the Commission recommended that SPFRAG provide guidelines in relation to localised depletion if it is an issue of the fishery. He explained that the group should address localised depletion, by defining what localised depletion is, and recommend options or measures that management could put in place to monitor the risk, address the issues and ensure compliance with these measures.

Mr Geen declared a conflict in that the outcomes of this discussion could possibly have financial implications for him in the future. Mr Romaro and Mr Brown both declared that as SFR holders in the fishery, they also share Mr Geen's conflict. Mr Geen and Mr Romaro also stated that they believe Mr Pike has an undeclared conflict of interest as the groups that he represents almost shut down the entire SPF and, therefore, he represents a powerful body that should be declared even if it is not a pecuniary interest. Mr Pike disagreed as no other government committees that he sits

on require declaration of anything more than pecuniary interest and he had already declared that he had nothing but an interest in the health and conservation of the natural resources of the SPF. With regard to pecuniary interests, the RAG concluded that only a stakeholder with a pecuniary interest above all other stakeholders in the fishery should leave the room.

Mr Pike stressed that before coming up with measures to possibly prevent localised depletion, the RAG needed to define what localised depletion is in the context of the SPF. A/Prof Ward suggested that many people have defined localised depletion roughly as the persistent reduction in abundance of fish in an area over time caused by fishing, and you cannot define temporal or spatial scales as they are not consistent. A/Prof Ward suggested that a significant factor would be the effect on other users of those prey species, such as marine predators or recreational fishing groups. Dr Lyle and Mr Geen said that SPF species are dynamic and mobile and localised depletions can be caused by natural processes such as fish moving out of areas or due to predation. A/Prof Ward said that in this context, localised depletion is not the reduction in predator species in a location or contraction of the stock due to overfishing and any definition should make this clear. A/Prof Ward also explained that SPF species have a high capacity for movement which means they are at lower risk to localised depletion than more sedentary species and that the ecosystem effects of fishing are managed separately through the low exploitation rates.

A/Prof Ward also explained that localised depletion is almost impossible to measure. To measure this, a person would need to fish extremely hard in an area and try to demonstrate a hole in the distribution caused solely by that fishing activity through expensive acoustic surveys. A/Prof Ward suggested it would be best to accept that there is the possibility for this to happen and develop management strategies to minimise this risk to as close to zero as possible.

The SPFRAG agreed that in the absence of a common definition of localised depletion, SPFRAG will use the following draft working definition when discussing localised depletion in the context of the SPF:

Draft Working Definition of Localised Depletion for the SPF

Localised depletion is a reduction in abundance (ie hole in the distribution) caused by fishing activity that is persistent over spatial and temporal scales that can negatively impact on predatory species and/or recreational and commercial fishers.

Risk of localised depletion is highest for target species with low mobility (e.g. abalone) and lowest for highly mobile species (e.g. pelagic fish).

Predatory species with limited foraging areas, especially central place foragers, are most likely to be impacted by localised depletion. Localised depletion is less relevant to highly migratory species or species with large foraging areas.

Geographical barriers (headlands, straits) can increase the likelihood of localised depletion by limiting movement rates.

Localised depletion is not a reduction in the overall range of a target species due to fishing down or over-fishing the stock.

Localised depletion is not a reduction in abundance due to natural movement or population size of target species.

In the context of the Small Pelagic Fishery, this definition identifies what we are managing for (i.e. potential impacts on predators and other fishers).

NB: Broader ecological implications of the Small Pelagic Fishery are managed through low exploitation rates.

Dr Lyle expressed his concern that localised depletion should really be defined based on the effects on the environment and predator species and that any effect on recreational and commercial fishers is a different issue that should be recognized, but considered and dealt with separately to that of localised depletion. Dr Lyle suggested that sectorial conflicts may be exacerbated if fishing activity is concentrated in an area, but the observations of groups such as recreational and commercial fishers can assist in demonstrating that localised depletion has occurred.

Mr Pullen agreed that localised depletion should be about the effects on the ecosystem and not access. A/Prof Ward explained that broader ecosystem effects are dealt with by setting low exploitation rates in the fishery.

Mr Pike suggested that it is not just predatory species that are affected by localised depletion and that by removing the reference to recreational fishers, it excluded fishers that fish for bait only. A/Prof Ward agreed with Mr Pike's comment, and mentioned that recreational fishers targeting bait fish directly are just another "predator" in the system and there is no harm in leaving in the reference to recreational fishers in this draft.

The majority of the group agreed that we should recognise this is a draft working definition and can be refined in the future. Mr Pike suggested that the SPFRAG involve the recreational and environmental sectors when refining the definition of localised depletion. It was suggested that each representative member receive comments from their constituents out of session so that the SPFRAG can incorporate these comments when adopting a definition for localised depletion at the next meeting. The view of the RAG was that once a definition for localised depletion was agreed by the SPFRAG, options to minimise this risk of localised depletion occurring can then be considered. This was supported by the group.

ACTION ITEM: SPFRAG members to provide their constituents with the opportunity to comment on the draft definition of localised depletion in the SPF, developed at SPFRAG 16. SPFRAG to consider these comments and aim to agree a collective definition of localised depletion at SPFRAG 17.

A/Prof Ward also mentioned that there are three main options which can be applied, including splitting the area into smaller sub-zones to spread effort, spatial and/or temporal closures around important areas such as high priority recreational fishing locations or foraging for key predator species, or have various types of move on rules triggered by amount of catch or size/number of fish. A/Prof Ward highlighted that he believes the SPF should be split into sub-zones because it is very difficult for him to do a survey for the full western zone of the SPF. Mr Brown explained that if we split into sub zones it is important for AFMA to consider fair allocations to operators who fish in that area.

The SPFRAG agreed that the three options for further reducing the risk of localised depletion in the Small Pelagic Fishery on species/sectors may include:

- Zoning to limit catches from large areas fisheries (e.g. zones in South Australian Sardine Fishery)
- Spatial and/or temporal closures to protect predators (eg around central place foragers) and fisheries (e.g. key fishing grounds, reefs)
- Move on rules to limit catch from small areas (e.g. size of foraging areas, grids, geographically constrained locations such as bays).

Mr Shanks offered to develop a paper for discussion at the next meeting with further information about the mitigation measures to minimise the risk of localised depletion. This was supported by the group.

ACTION ITEM: AFMA to develop a short paper informing the three management measures raised at SPFRAG 16 for further reducing the risk of localised depletion in the Small Pelagic Fishery on species/sectors, following the development of definition of localized depletion, for discussion at SPFRAG 17.

Bycatch and Discard Workplan

Ms Tonon summarised the 2011-2013 Workplan final report, outlining the progress against each of the three action items. In relation to Seal Excluder Device (SED) trials, there had been no midwater trawling in the SPF to trial SEDs and the SED work in the CTS is continuing. In relation to developing Vessel Management Plans (VMPs), the SPF Statutory Fishing Right (SFR) conditions were updated in September to require all midwater trawlers to have a VMP and seabird and marine mammal VMPs were developed for the Abel Tasman. In relation to identifying expansions or shifts in catch and effort, Ms Tonon explained that this is being

progressed through the RAG discussions in ways to minimise the risk of localised depletion.

In reviewing the 2011-2013 Workplan final report, Mr Farrell commented that he believes the third action item is more of a general management action and not necessarily fitting into the bycatch and discard workplan. There were no other comments and the SPFRAG endorsed the 2011-2013 Workplan final report.

Ms Tonon explained that the previous actions had been rolled over into the 2013-2015 Workplan and an assessment of the jigging trial in the SPF was added.

Dr Lyle suggested that the RAG should have the opportunity to comment on the draft VMP and the final VMPs should be public documents. Mr Geen mentioned that he had no issues in the Abel Tasman VMPs being made public. A/Prof Ward explained that in the SASF, there is a high level document that outlines various mitigation options and then a more practical document that is developed by the observer with those measures specific to the vessel. A/Prof Ward suggested that the SPF should have a system where the collated observer data is reviewed by SPFRAG who may suggest improvements to the vessel specific mitigation strategies or overarching document. Mr Brown asked if AFMA have taken any policy approach to assessing the impact of bycatch or discards of SPF species in another fishery on the management of the SPF (and vice versa). Mr Shanks explained that the Commonwealth Bycatch Policy is the overarching document that aims to address this issue. Ms Tonon also mentioned that under the Quota Administration Policy, all bycatch and discards of SPF species in any fishery will need to be covered by SPF quota.

Mr Shanks further explained to the RAG that bycatch mitigation measures are tailored to individual vessels rather than having a range of measures that a vessel can apply. Through this method AFMA has ensured that effective bycatch mitigation measures are applied in a range of fisheries. The method also provides the opportunity for AFMA staff to work with skipper on the application of mitigation measures.

Dr Lyle highlighted that the Workplan lacks mention of broader bycatch issues of non-TEP species, and that the SPF needs to address the perception that the SPF does not target species effectively. A/Prof Ward suggested including an item about AFMA observers in the SPF to monitor the bycatch of species that are of ecological importance or are significant in other fisheries and circulate out of session for endorsement.

OUTCOME: SPFRAG endorsed the final report of the 2011-2013 SPF Bycatch and Discarding Workplan.

OUTCOME: SPFRAG agreed to endorse the 2013-2015 Bycatch and Discarding Workplan subject to an amendment that will include an assessment of bycatch of SPF species in other fisheries and how this affects the management arrangements / stock information in the SPF. Following this inclusion, the draft Workplan will be circulated for out of session endorsement.

Tasmanian Allocation of TAC

Mr Pullen explained that Blue Mackerel, Jack Mackerel and Redbait are caught in Tasmanian Waters under Mackerel A and Mackerel B licenses. There is also a small scale fishery that is restricted by gear that catches very small quantities of mackerel.

Under these licences, Tasmanian State operators have a condition placed on their licences that they cannot take in total more than their Commonwealth quota allocations under both their Tasmanian licences and Commonwealth quota holdings combined.

Mr Pullen used the example that if an operator owned 5,000 tonnes of Commonwealth Jack Mackerel quota, and if the Tasmanian Jack Mackerel allocation was capped at 1,000 tonnes (noting these are hypothetical figures), the operator could catch a maximum of 1,000 tonnes from Tasmanian waters and would have 4,000 tonnes available to fish in Commonwealth waters. Alternatively, if they catch less than their 1,000 tonnes, they could catch the remaining amount in Commonwealth waters, as long as they do not exceed their total allocation of the Commonwealth TAC.

It was raised that this could mean potential double dipping against the Tasmanian operators as the Tasmanian catches of Blue Mackerel, Jack Mackerel and Redbait get deducted off the RBCs to set the Commonwealth TACs. In addition, Tasmanian operators need to be dual license holders as a percentage of their Commonwealth allocation that can be caught in State waters.

Mr Pullen and Mr Shanks explained that Tasmania and the Commonwealth are looking to agree on formal catch sharing arrangements. Mr Moore highlighted that Senator Colbeck has identified catch-sharing arrangements as a high priority for progressing and that now is a good time to progress things. Mr Shanks mentioned that AFMA will hold discussions with Tasmania and report back about the outcomes of those meetings at the next SPFRAG meeting.

ACTION ITEM: AFMA to report at SPRAG 17 on the progress of catch sharing discussions with Tasmania and other relevant States on small pelagic species..

Catch sharing for Australian Sardine

Mr Shanks said that Victoria has recently increased its catches significantly, NSW catches have stayed relatively consistent, and if a Sardine fishery is also developed off Tasmania, there is the risk of the States' catch exceeding the Commonwealth RBC in the future, closing the Commonwealth fishery completely if arrangements are not agreed.

Mr Shanks stated that AFMA presented a paper at the last South East Management Advisory Committee (SEMAC) meeting outlining sustainability concerns around catch sharing arrangements for Australian Sardine. At the SEMAC meeting, one option raised was to limit any reduction in the Commonwealth TAC below 500 tonnes.

Mr Brown mentioned that he supported the 500 tonne minimum Commonwealth TAC, but noted that this should only be an interim arrangement until fairer catch sharing arrangements are negotiated. He also mentioned that this may require a change in the SPF Harvest Strategy. Mr Geen suggested that it sends a strong message to the States that they need to come to the table.

ACTION ITEM: SPFRAG recommend that a minimum 500 tonne TAC should be set for Australian sardine in the SPF as an interim arrangement until formal catch sharing arrangements are established with the other jurisdictions.

Mr Pike recommended that in any correspondence, there should be a scientific ecological evidence component about the stock status. A/Prof Ward said that the last SPF Assessment Report included explicit words about the ecological effects of the large take of Sardine and these words can be included in the SPFRAG's advice to SEMAC.

Mr Shanks explained that the advice from SEMAC was to consult further with the jurisdictions. Mr Shanks then explained that AFMA has written to NSW and Victoria to progress catch sharing negotiations and is yet to hear back from Victoria. He explained that AFMA needed to speak with the prominent catcher in Victoria but this would need to be done through Fisheries Victoria.

Mr Ferrell stated that negotiating catch-sharing arrangements is identified as a high priority by the NSW Government. He explained that a new ministerial advisory committee on all forms of fishing is being formed and its first job is to consider catch sharing of small pelagics. However Mr Ferrell noted that NSW is hamstrung for about a year from taking meaningful action on catch sharing policy until the new committee is formed but NSW is ready and willing to participate in the monitoring and assessment framework as required.

Mr Pullen explained that there are currently no arrangements for catches of Sardine in Tasmania. Mr Pullen explained that when the management plan for the small scale inshore fishery for pelagic species was developed, Sardine and Anchovy were

considered as species for developmental attention and were not included as species that purse seine and beach seine licences provide access to. He explained that Sardines were never a prominent species in Tasmanian waters but there is anecdotal evidence of high volumes of Sardine in Tasmanian State waters and operators would like to start a developmental program for fishing for Sardine off Tasmania.

Mr Pullen stated that the proposal for a developmental Sardine fishery has been put forward but nothing has been agreed by the Minister yet. He mentioned that any developmental fishery would have to be based on science but there is limited knowledge about the Sardine stocks off Tasmania. He said there is a clear need for collaborative research on Sardines between the Commonwealth, Tasmania, NSW and Victoria to come up with an updated biomass estimate across south-eastern Australia.

Mr Brown said that the Commonwealth is the only party covering the costs of stock assessment and any catch sharing arrangement should be in conjunction with the development of a cost sharing arrangement when it benefits other jurisdictions.

A/Prof Ward mentioned that Sardine is the stock at the highest biological risk but there are other species that would also benefit from DEPM surveys.

He recommended for the short term that because Sardine stocks spawn during Summer and Autumn, there should be a September-October DEPM survey in the North (Sydney/Wollongong to Queensland) which would provide information about Sardine and Blue Mackerel and then a December-January DEPM survey in the South (Sydney to Tasmania) which would provide information about Sardine, Jack Mackerel and possibly Redbait. Ideally, a targeted Redbait survey would also be conducted in October off the east coast to cover all the SPF species. A/Prof Ward said the surveys would need to be conducted over two years as it is very difficult to 'get it right' the first time around.

Research Priorities

A/Prof Ward said that three research priorities had been identified:

- Dr Tony Smith's project to examine exploitation rates at Tiers 1 and 2 of the SPF harvest strategy using ecosystem population models which is currently being completed,
- A/Prof Ward's project on evaluating DEPM methodology which recently was not supported by the Fisheries Research and Development Corporation. However, he said he has had an indication that the desktop component of the study may be supported for the 2014-15 funding round in November 2013, and
- Completing DEPM surveys for which there is growing general support.

A/Prof Ward agreed to write a summary of the DEPM survey design (outlined above) to include in the SPF Research Plan and also to prepare a draft two-page proposal for the DEPM surveys to circulate to SPFRAG for endorsement out of session. The FRDC funding process would then be followed.

ACTION ITEM: A/Prof Ward to summarise the DEPM surveys' design for inclusion in the SPF Research Plan and to prepare a draft two-page proposal for the DEPM surveys' design for circulation to SPFRAG.

Mr Moore also requested that integrative stock assessment, particularly for Jack Mackerel and Redbait, using a quantitative model, be included as a research priority once the fishery develops. This was supported by the RAG.

A/Prof Ward suggested that in the longer term it would be good to do a DEPM survey in the Western zone which aligned with the Sardine DEPM surveys that are conducted off South Australia.

Mr Pike also requested that the research priorities outlined in the five year research plan be numbered in priority order. Ms Tonon explained that as the Annual Fishery Assessment Report is no longer funded after the 2013-14 financial year, she believes this report is the top priority for the fishery. A/Prof Ward suggested that this is ongoing monitoring for the fishery, required under the SPF Harvest Strategy, and should be funded through the levy base as part of general fisheries management. Because of this, ongoing monitoring is not a proper research priority and should be considered separately. The SPFRAG suggested it still wants to ensure this monitoring continues and also wants this included in the Plan under the sub-heading 'monitoring' to ensure its currency is maintained.

The SPFRAG ranked the research priorities in the following order, noting that the Fishery Assessment Report is a high fishery priority but not a research priority:

- 1) DEPM Surveys
- 2) Evaluation of DEPM methods
- 3) Integrative Stock Assessment

ACTION ITEM: AFMA to update the SPF strategic research plan and the annual research statement in consultation with A/Prof Ward and Mr Moore consistent with the SPFRAG outcomes.

OTHER ITEMS

Other Business - Fisheries Administration Paper 12

At the recommendation of the SPFRAG, Dr Davies revisited AFMA's new draft Fisheries Administration Paper 12. There was discussion about refining the section on declaring conflicts of interest as some members claimed there is still confusion as to how to apply this.

The group recognised that all members have some type of conflict, whether pecuniary or not. The AFMA member explained that the previous FAP 12 limited conflicts of interest to pecuniary only, but the new policy extends more broadly to non-pecuniary interests. He stated that it is about the procedures of how SPFRAG deals with conflicts of interest and it is important to follow the procedures correctly at the beginning of the meeting then have them recorded appropriately in the minutes.

Dr Davies explained that the SPFRAG has a particularly fuzzy line when it comes to ascertaining conflicts pertaining to personal benefits as opposed to sectoral benefits, especially economic conflicts.

Mr Pike explained he has been working with pecuniary interests in the context of meetings all his working life and believed that the conflict can only be measured by the financial benefit derived.

Mr Geen stated that the SPFRAG's advice goes to the AFMA Commission and he believes that the purpose of declaring conflicts of interest is not to downgrade someone's influence on the group but to provide transparency about where that person's advice may come from. He suggested that if, for example, a SPFRAG member was part of an environmental group that was running an active campaign that sends out information contrary to the advice of the SPFRAG, then that RAG member should declare which relevant groups he/she is part of and that one group is running the relevant campaign.

Dr Lyle said that under the new draft FAP 12, conflict of interest could either apply to projects or campaigns that the member or the member's organisation/group has or has planned that are relevant to the fishery.

Mr Pike strongly disagreed and explained he would not know where to start or end in listing all the relevant organisations he has been affiliated with. He stated that for the 13 years that he has been a member of the SPFRAG, everyone has known that he comes from the recreational fishing community with the interest of looking after the natural resources on which recreational fishing is dependent.

A/Prof Ward explained that SPFRAG members should comment on the FAP 12 policy because SPFRAG was subject to public concerns that there was an

inappropriate conflict of interest in their discussions. These concerns were not about who was involved, but rather that a big boat was involved and SPFRAG should have a say as to what is appropriate. A/Prof Ward believed that the current processes for declaring conflicts of interest at the start of each meeting are rigorous enough and that we should move on.

The SPFRAG agreed to submit individual comments on the draft Fisheries Administration Paper 12.

ACTION ITEM: Individual SPFRAG members to submit comments on the revised draft Fisheries Administration Paper 12 to AFMA by 29 November 2013.

Other Business – Close Kin Assessment in Southern Bluefin Tuna

A/Prof Ward explained that this science is a way to use genetics to link progeny to parents and use these relationships to calculate the biomass using a mathematical formula. Mr Romaro explained that with Southern Bluefin Tuna, there were hardly any related fish which suggests there are more parents out there than originally thought.

A/Prof Ward questioned the theory as effective population size can only be estimated from the adults that spawn, but the difference between effective population size (individuals that reproduce successfully) and sample size isn't known. Mr Moore explained that about 10% of the population does not reproduce successfully which can be taken into account when deducing population size. A/Prof Ward then concluded that population size may be estimated by identifying the proportion of adults caught that are effective spawners.

Next meeting date

SPFRAG agreed that the next SPFRAG meeting will be held on 11 and 12 March 2014. This will allow a full day for setting RBCs and another day to work through options to minimise the risk of localised depletion. Following meeting dates will be discussed at the March meeting.

A/Prof Ward also suggested that the agenda be reorganised to ensure the important issues are discussed at the start of the meeting.

Meeting closure

The meeting closed at 3:45pm.

APPENDIX 1: SPFRAG 16 Declared Conflicts of Interest

Participant	Interest declared
Kirsten Davies	No financial interest in fishery.
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
Jeremy Lyle	Senior Research Scientist, Institute for Marine and Antarctic Studies. Has led several research projects relevant to the SPF and is involved in the assessment of Tasmania's scalefish fishery. No pecuniary interest.