

## RECORD OF MEETING

Meeting #1, 27 August 2021

Microsoft teams meeting

**CHAIR:** Jill Briggs

**MEETING COMMENCED:** 9:00am

### 1. PRELIMINARIES

<b>Present</b>	
Jill Briggs	Chair (Affectus Pty Ltd)
Toby Jeavons	Victorian Fisheries Authority (Executive Officer)
Dallas D'Silva	Victorian Fisheries Authority
David Reilly	Victorian Fisheries Authority
Jeanne Alard	Victorian Fisheries Authority
Klaas Hartmann	Institute of Marine and Antarctic Studies (IMAS)
Karlie McDonald	Institute of Marine and Antarctic Studies (IMAS)
Johanne Butterworth-Gray	Seafood Industry Victoria
Lawrence Moore	Recreational fishing representative/ VRFish
Peter Galvin	Scuba Divers Federation Victoria (SDVF)
Gary Ryan	Industry Member (Western Zone)
Wayne Dredge	Industry Member (Eastern Zone)
Ross Bromley	Industry Member (EastRock)
Matthew Harry	Industry Member (Eastern Zone)/ SIV rock lobster Director
Alex Haberfield	Industry Member (Western Zone)
Adrian Meder	Australian Marine Conservation Society
Ian Knuckey	Fishwell Consulting
Ben Scullin	VRFish
Zeb Johnston	Industry (Western Zone)
Rohan Henry	Independent coastal Indigenous representative
<b>Guests</b>	
Hilary Revill	DPIPWE (Department of Primary Industries, Water and Environment)
Steve Shanks	PIRSA (Department of Primary Industries and Regions)
<b>Apologies</b>	
Annabel Jones	PIRSA (Department of Primary Industries and Regions)
Leslie Feast	Industry

#### 1.1. Welcome and apologies

Jill Briggs, as Chair, stated an Acknowledgement of Waveroo Country, traditional owners of the land on which she is located and paid her respect to elders past, present and emerging. Jill welcomed members and observers to the first meeting of the Victorian Rock Lobster Management Plan Review Steering Committee (RLMPSC) and noted no apologies to the meeting. A number of members acknowledged the traditional owners of the lands from which they dialled in from via the Microsoft Teams Chat:

- Dallas D'Silva acknowledge the Kulin Nations
- Ian Knucky and Toby Jeavons acknowledged the Wadawurrung country
- Klaas Hartmann acknowledged the Muwinina people
- Adrian Meder acknowledged the Wadandi Boodja country

Toby thanked everyone for attending this first meeting online via Microsoft Teams and expressed regret that we are currently unable to meet in-person to initially establish connection. Toby noted that if the opportunity arises we will try again to meet as a group in-person, however in the mean-time it is important to start the review process and work within the opportunities that we have available to do so.

## 1.2. Overview of meeting Adoption of agenda

The Chair acknowledged the agenda with no proposed changes. Toby noted that Annabel Jones was unable to attend and Steve Shanks will be presenting in her place.

## 1.3. Terms of Reference

The Chair provided an overview of the DRAFT terms of reference.

### **Members provided the following feedback:**

- There may be a need to consider involvement down the supply chain;
- Questions were raised over the role of Observers. Toby confirmed that if an Observer is approved by the Chair, they can be provided with a copy of the Terms of Reference. Toby noted that as representatives of the sector, members can raise discussion a with wider reference groups and provide feedback to the RLMPSC. Observers will be required to acknowledge that they have read and will adhere to the Terms of Reference;
- Clarification requested of the terminology “representative” used in the Terms of Reference, particularly with regard to Rohan Henry role
- Rohan advised that his representation on the RLMPSC is as an independent Aboriginal Victorian. Rohan continues to work with Bunurong, however noted that he also works across other government councils completely independently. From a Governance perspective, Rohan will look at how the process interacts with relevant legislation and provide an understanding of the constraints that the process operates within.
- The group was reminded to treat conflicts of interest with practicality;
- The Chair clarified confidentiality expectations. Toby confirmed that discussion and material is confidential unless explicitly approved for release;

Discussion was held around the process of resolving issues where there is a dispute or disagreement.

Dallas and Toby reaffirmed that the role of this group is to provide recommendations to the CEO as detailed under the principles of the terms of reference. Where there is dispute, options will be provided for the CEO to review and make the final decision. The VFA would like to work on consensus, however at times there may be discussion where agreement is not reached. The RLMPSC will document discussion and options for consideration by Travis Dowling as the CEO. Any decision made by the CEO would then be brought back to the group and clearly explained.

Discussion was held around the absence of economic expertise on the steering committee. Toby informed the group that Steven Rust from IMAS is an expert in the economic field will provide us with an update at our second meeting where he will cover an economic analysis of the Victorian Rock Lobster fisher.

Klaas noted that he has also worked as a fisheries economist and has taught economics modules at University. If the group felt throughout the review process that further advice is required Steven could be called upon to attend as a guest.

The Chair confirmed that the TOR remains in DRAFT format and will be updated and presented for approval at the next meeting.

#### Actions

- TOR to be updated, presented and approved at the next meeting.
- Confirm with Rohan Henry on representation on the RLMPS

#### 1.4. Review timelines and project plan

Toby noted the scheduled timeframe for the review process to take place is from 2 June 2021 to 1 July 2022. The review process will consist of a minimum of 6 full day workshops. However, adaptability will be required as we operate within the COVID context and further meetings may be required. Toby provided an overview of the project plan that will be shared via the Trello platform.

RLMPS members comments on the timeline and project plan:

- Ross noted that in addition to developing a target reference point we should also be reviewing the current trigger and limit reference points. Toby confirmed that the review process will also include the current reference points.
- Joanne and Ian suggested that biosecurity outbreaks and broader external threats such as climate change, population growth and seismic activity should be considered as part of the review process. Toby clarified that identifying risks and undertaking an ESD risk assessment will be undertaken at the next meeting. Toby also noted that a biotoxin management plan had been developed by the VFA and provided to industry to progress.
- Gary noted that the Eastern Zone rebuilding strategy should be extended to consider the Western Zone

#### Actions:

- Homework – Members to begin sharing their ideas on establishing a vision and noting the risks to achieving the vision via the Trello platform
- Toby to provide a copy of the project plan via Trello

#### 1.5. Project discussion platform - Trello

All content sharing and discussion will primarily be held via Trello. Conversation threads for particular topics (such as developing a vision) will be created and be the central place for discussion to be held rather than email threads. Trello is an open space to share and work through this process and the group is encouraged to have discussion under this platform. Members who are not familiar with this platform are encouraged to get in touch with Toby to undertake a quick training session.

#### Actions

- Toby to invite members to the Trello space

## 2. Current context – Overview of the Victorian Rock Lobster Fishery

### 2.1 Framework for managing the fishery

Toby presented an overview of the current Management Plan and noted that as this is the third Management Plan for the fishery there is already a really good framework to build on. A number of objectives have not changed from the 2003 plan, however the strategies and the actions under each of the objective have changed.

The Rock Lobster Fishery is managed in accordance with the Fisheries Act 1995 and the Fisheries Regulations 2019 and is consistent with other key legislation.

The Fisheries Act provides the legislative framework for managing Victoria's fisheries resources and sets out the general provisions applicable to all recreational fishing activities and commercial access licences including the Rock Lobster Fishery Access Licence.

The Fisheries Regulations 2019 provides the general detail regarding activities authorised by recreational fishing licences and obligations and activities of Rock Lobster fisher access licence holders and people operating on their behalf. Further, specific conditions can be placed against licences outlining further requirements.

Overarching legislation includes the Environmental Protection and Biodiversity Conservation Act 1999 that provides for the protection of the environment by identifying key threatening processes, protecting critical habitat, promoting the conservation of biodiversity and providing the protection of listed species, protected areas and communities in Commonwealth Waters. All fisheries intending to export must be assessed against the guidelines of the Ecologically Sustainable management of Fisheries to ensure that fisheries are managed in an ecologically sustainable manner. Toby noted that Victoria was first given approval for export in March 2004, and in August 2016 was granted export approval until 28 August 2026.

Another key piece of legislation includes the Offshore Constitutional Settlement Agreement that provides the Victorian Government jurisdiction over the commercial rock lobster fishery in Commonwealth waters adjacent to Victoria.

In 2014 a new cost recovery program was implemented by the Victorian Government, there is no transfer of levies collected from the commercial sector to the management of the recreational sector or to address illegal fishing activity. In accordance with the principles of cost recovery, Rock Lobster Fishery Access Licence holders will continue to contribute to the cost of management, compliance and research through an annual levy imposed at licence renewal.

RLMPSC members comments on the framework for managing the fishery:

- Ian noted that legislation related to traditional owner access was not included in the list of relevant legislation. Toby confirmed that the list of acts that we operate under is not limited to what was detailed. Action for Toby to add these to the list with the assistance of Rohan to make sure everything is covered off.

#### **Actions:**

- Rohan to provide a list of legislation and regulation relevant to traditional owner access

## **2.2 Key elements**

Toby provided an overview of the key management elements of the Victorian Rock Lobster fishery. The management arrangements are detailed in the 2017 Management Plan of which Toby will add to the Trello board.

## **2.3 Harvest Strategy**

Klaas provided a brief overview of the harvest strategy. The detailed workings of the harvest strategy will be discussed at future meetings.

The overarching objective of the harvest strategy is to achieve a stock rebuild and maintain catch rates above 0.40 kg/potlift. The key performance indicators relate to egg production, standardised Catch Per Unit of Effort (CPUE) and a Pre-Recruit index. Details of the Rock Lobster Fishery Harvest Strategy can be found in the Management Plan via the Trello board.

## **2.4 SIV perspective**

Joanne expressed support for undertaking the review process. Joanne outlined the need for risk management to consider both ecological sustainability and economic sustainability.

Joanne introduced Matt Harry as the new rock lobster director on the SIV board. Joanne commended Matt on running a very productive and active Rock Lobster discussion group which is looking at key areas around support for the demand of Rock lobsters from consumers and how we manage the social licence of the fishery going forward.

RLMPSC members comments on SIV perspective:

- Matt confirmed that they are holding a monthly Rock Lobster discussion group for Eastern Zone and Western Zone licence holders and all fishers are welcome to participate. Fishers/Licence holders are encouraged to contact Matt if they are interested in attending
- Toby asked Matt if he could bring back any feedback from the discussion group into the review process
- Joanne noted that she is happy to be contacted by any of the Rock Lobster fishers.

#### **Actions**

- Matt to bring feedback from SIV rock lobster discussion group to RLMPSC

## **3. Cross jurisdictional context**

### **3.1 Tasmania management arrangements**

Hillary Revill provided a presentation on the Tasmanian Rock Lobster Fishery harvest strategy and management perspective.

The Governance of the fishery in Tasmania operates very similar to Victoria where the Minister makes the final decision taking into account the high level objectives under their Act. The Minister receives advice from the Department, a Crustacean Fisheries Advisory Committee and a Recreational Fisheries Advisory Committee. The Minister consults with peak bodies, the Tasmanian Rock Lobster Fishermen's Association and Tasmanian Association for Recreational Fishing

A rebuilding harvest strategy is in place for the fishery with an interim goal of increasing the total biomass from 20% to 25% of an unfished fishery. IMAS undertakes an annual harvest strategy evaluation assessing if the current allowable catch is on track to meet their reference points. The stock rebuilding goal is set at 25% of an unfished fishery by 2026. Egg production is at about 38% and the limit reference point is 30% with 90% probability.

The commercial fleet has 165 vessels which has been declining over past 10 years. The TACC is currently 1051t with 80% caught in the western half of Tasmania. Quota is transferable on a permanent basis and seasonal quota leasing. Management controls include regional catch cap triggers, gear limits (50/60 pots), State-wide and regional closures, minimum size limits for both sexes to provide protection to the spawning stock and maximum quota holdings of 200 units.

The recreational fishery has around 18000 fishers with 12000 of those fishing the east coast. A total allowable recreational catch (TARC) of 170t is in place. However, the estimated average catch is currently around 82t, with 51t of catch coming from the east coast. Recreational management includes fishing methods using pot, dive or ring and daily bag limits, possession limits, boat limits, size limits and closed seasons.

State wide resource sharing arrangements are in place. If the TACC is 1700t, then this is split between the two sectors 90% TACC and 10% TARC. If the TACC is less than 1700t, then the recreational sector is guaranteed a minimum of 170t with the remainder allocated to the commercial sector. The TARC has been 170t since 2007 and biomass has not been above 1700t during this time.

The harvest strategy has a State-wide focus and is split up over 8 stock assessment areas. IMAS provide annual estimates around biomass and egg production for these 8 areas. Managing regional variation within the State-wide harvest strategy is a significant management challenge.

The future management direction for the fishery includes developing a new harvest strategy by 2025, introducing new regional size limits, gear limits, reviewing East Coast resource sharing arrangements and introducing Vessel Monitoring System (VMS), Ecatch reporting, a recreational phone app (catch monitoring) and individual season limits.

RLMPSC members comments on Tasmanian rock lobster management arrangements:

- Adrian Meder queried the interim Biomass target and 30% Biomass target for 2030 and questioned if they proxy for are they maximum sustainable yield or economic yield? Hillary noted 25% goal was landed on as a compromise avoiding drastic TACC reductions at the time. The 30% goal has not been adopted as yet but is the next step. The State-wide biomass target of 25% is in the 'fair' range, however aiming for 30% is an incremental further goal which is considered 'good'.
- Lawrence Moore questioned if the proposed individual season limit is per person? Hillary Clarified that in order to more equitably share the recreational catch amongst recreational fishers, research is currently looking at the feasibility to monitor catch with a phone app. This may also provide the ability to set a maximum number of lobster per person per season.

The Chair thanked Hillary and Hilary noted that she is happy to take any further questions or provide further information via Toby.

### **3.2 South Australia management arrangements**

Steven Shanks provided an overview of the South Australian Rock Lobster fishery. The fishery is divided into two zones. The Southern Zone (SZ) fishery extends from the mouth of the Murray River to the Victorian border. The Northern Zone (NZ) fishery extends from mouth of the Murray River to the Western Australia border. The two fisheries are vastly different in terms of productivity and operation.

#### Southern Zone

The SZ is quota managed through implementation of an Individual Transferable Quota (ITQ) and setting of annual TACC and consists of 183 licences. Quota in the fishery is linked to pots and fishers trade in pots rather than traditionally as kilograms. On 1 July 2020, a 10 year management plan was implemented and introduced a new harvest strategy. The last recreational survey was held in 2013/14 and estimated catch at 4.5% of total harvest, a new survey is anticipated to be held soon to updated information on estimated recreational harvest. The fishing season runs from 1 October to 31 May annually and closed season runs from 31 May to 1 October. However, due to the current COVID situation the seasons have changed slightly with the fishing season extended into the closed season.

The new Management Plan includes extension of the season to 31 July 2021 and early commencement of the 2021-22 season commencing on 15 September. Provisions for quota carry-over are provided where there is a detrimental impact on the fishery. This is capped at a maximum of 20% of quota entitlements held at the end of the season.

The SZ is a high performing fishery with a gross value in 2019-20 of \$189.3m and economic rent at \$40m.

#### Northern Zone

The NZ is subject to a more traditional ITQ management regime implemented in 2003. The TACC is currently set at 626t and consists of two zones, an inner zone and outer zone. These are managed as two discrete fisheries with restrictions on the maximum number of pots per licence (100) and minimum number of pots to go fishing (20) with a total of 63 licences.

The new Management plan provides for carry over of uncaught quota entitlements for the 2020-21 season with up to 100% in the inner zone and up to 50% in the outer region.

The economic overview of the NZ clearly indicates a less productive fishery with a gross value in 2019-20 of \$39.m and an economic rent of \$1.8m. The TACC has fluctuated since 2003 from a 625t TACC down to the current 250t inner zone and 46t outer zone.

Harvest strategy for the SZRLF primary indicator CPUE, trigger reference point 0.60kg/potlift, limit 0.40kg/potlift. The TACC has increased from 1246t to 1320t which is the first increase from some time with the majority of industry keen for this increase. There is also a secondary indicator, pre-recruitment index (PRI) 1.32 undersize/potlift.

CPUE is the primary performance indicator under the Harvest strategy for the NZRLF. A trigger reference point of 0.60kg/potlift is in place and a limit reference point set at 0.40/potlift for both the inner and outer regions.

Current key fisheries management challenges include fishers wanting to use unlimited gear, managing the reduced beach price and reduced profitability of industry and shifting towards a standardised CPUE model.

RLMPSC members comments on South Australian rock lobster management arrangements:

- Toby suggested that the group may be interested to hear more about traditional owner access and recreational access, what these look like, and how allocation is managed? Steven clarified that the Management Plan has determined an allocation for the recreational of 3.5% of TACC in the NZ and SZ and indigenous allocation is set at 1% of the total allocation. Steven noted that the current harvest strategy does not consider catch from the recreational and indigenous sector and work has commenced to consider how this could be incorporated. The recreational sector really managed through bag and boat limits.
- Ian queried the economic performance of both zones, the economic targets and are they specific? Steven clarified that the economic objectives are consistent with the Act, to maximize economic efficiency, therefore the targets are not specific as such. Work is underway to look at more direct performance indicators and targets
- Ian noted that SA is more developed in collecting economic data from its fisheries and therefore would have thought that SA would have been more developed in the development of economic targets? Steven clarified that he has not been working in this fishery long enough to be able to discuss this however referred to the Pipi fishery where if the price gets to a certain level it influences harvesting.
- Gary queried that there are 183 licences in the SZ, how many active boats are there?
- Steven confirmed that as every licence has a boat attached, only a smaller number would be inactive.

The Chair thanked Steven for presenting and Steven commented that he would be happy to answer any further questions from the group via Toby.

## **4. Management Plan**

### **4.1 Review of existing objectives, strategies and actions**

Toby provided an overview of the history of the Rock Lobster fishery Management Plan. The initial MP commenced in 2003 and established arrangements to manage the commercial and recreational catch at levels that prevents overfishing, allow the stocks to rebuild and reduce the risk of lower stock abundance in the future. The Management Plan introduced 20% of the unfished biomass as the biological 'bottom line', 40% of the unfished biomass as the target level for rebuilding stocks, formalised the retention of existing management zones, caps on pots, independent tradeable quota units within each zone, removal of restrictions from Apollo Bay paddock and introduced the concept of a TARC with an upper limit to trigger a management review.

The next management plan in 2009 recognised that a significant shortcoming of the first plan was a lack of clear decision rules with the ability to react quickly to declining biomass indicators. Consequently, the core objective of the second plan was a deliberate stock rebuilding scheme where commercial catches were constrained to levels that ensured a significant increase in the available biomass over the life of the plan. The second plan included a harvest strategy, included a rebuilding target and application of commercial catch quotas that maintained stock biomass growth along a predetermined trajectory to a target. The plan also recognised that there were shortfalls in the ability

to estimate the recreational catch, and a high priority was placed on research with other jurisdictions specifically related to the impacts of climate change and population growth.

The 2017 Management plan looked to build on the two previous plans. Toby provided an overview of the key objectives, strategies and actions of the current plan and the progress made towards achieving these. The table outlining progress against each action will be uploaded to Trello and reviewed in greater detail at the next meeting.

**Actions:**

- Toby to upload the Table outlining actions progress against the current actions table to Trello
- Toby to set conversation threads on Trello to discuss the fishery vision and identifying key risks

## 5. Other business

### 5.1 Committee homework

The Chair requested:-

**Actions:**

- All members to do some thinking around the vision for the Rock Lobster fishery into 2027, what are the key risks we are facing, and to have those conversations on the Trello board

### 5.2 Closing comments and next steps

The Chair recognised that members had raised risks associated with social licence and climate change and asked that everyone consider bringing these into future discussion.

Toby highlighted that moving forward meetings will be a lot more discussion focused and not content orientated. Toby requested that members review the existing actions under the current management plan and think about what is missing to achieve what members see as the vision. Then this will assist with looking at the ESD risk assessment process in meeting 2.

The Chair noted that we may be attending the next meeting in a similar format via online platforms, however with preference to hold face to face meeting.

The Chair thanked all members for their contribution and attendance.

### 5.3 Scheduled meetings

**Actions:**

- Toby to determine the next meeting date and send calendar invite

Meeting concluded at 12.30pm.