

National Recovery Team for the Maugean Skate Terms of Reference



Maugean skate *Zearaja maugeana*. Copyright Jane Rucker/IMAS

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1. BACKGROUND

The Tasmanian endemic Maugean Skate (*Zearaja maugeana*) is only known from two remote estuaries in western Tasmania – Macquarie Harbour and Bathurst Harbour. There have been no confirmed sightings of the species in Bathurst Harbour since 1992 and environmental DNA surveys conducted in 2020 indicate that the species now does not exist in any significant number in this location. Macquarie Harbour is now considered to hold the sole remaining viable population of the species, but in recent years the population in this location has also undergone significant declines.

The Maugean Skate is listed as endangered under both Tasmania's *Threatened Species Protection Act 1995* (TSPA) and the *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA). The species has been included as a priority threatened species under the National Threatened Species Action Plan (2022-2032).

In response to new information on the status of the Maugean Skate population within Bathurst Harbour and Macquarie Harbour, the Department of Natural Resources and Environment Tasmania (NRE Tas) and the Australian Government's Department of Climate Change, Energy, the Environment and Water (DCCEEW) have been exploring a suite of conservation actions, beginning with proactive and precautionary measures to address known threats to the species, while simultaneously planning a consultative and coordinated strategy for the longer-term stabilisation and recovery of the population.

Beginning in the latter half of 2022, NRE Tas and DCCEEW have held a series of workshops and discussions with key stakeholders centred around thematic areas of relevance, including environmental remediation, ex-situ conservation management, population monitoring, and the potential impacts of predation and depredation to identify and prioritise conservation, research, and management strategies to support the recovery of the species. The outcomes of the discussions informed a structured decision-making workshop that was conducted to assist with the prioritisation of management and conservation strategies to prevent extinction of the Maugean skate population and support recovery of the species into the future. The outcomes of the structured decision-making workshop will inform the Conservation Action Plan (NRE Tas) and informed the updated Commonwealth Conservation Advice for the species (DCCEEW).

The Maugean Skate Recovery Team (Recovery Team) was formed in July 2023 and will play an important role in guiding the implementation of strategies identified in the Tasmanian Conservation Action Plan and Commonwealth Conservation Advice to support the recovery of the species.

2. ROLE OF RECOVERY TEAM

The role of the Recovery Team is to provide a forum to develop, review, recommend and coordinate activities to facilitate the implementation of the Tasmanian Conservation Action Plan and Commonwealth Conservation Advice for the species and thereby contribute to the recovery and conservation of the Maugean Skate. As an advisory body, the Recovery Team provides advice on recovery actions to a range of stakeholders, including the Australian and Tasmanian Government, and other stakeholders. The Recovery Team ensures effective and adaptive implementation of the Conservation Action Plan and Conservation Advice by:

- Holding regular recovery team meetings to share information, report and review past and ongoing recovery activities, and consider, recommend and coordinate future recovery activities;
- Brokering and encouraging involvement of key individuals and groups/organisations to support Maugean Skate recovery;

- Maintaining regular contact throughout the year to progress recovery activities, providing a point of coordination between organisations involved in *in situ* and *ex situ* conservation efforts;
- Providing advice to relevant agencies and other organisations as appropriate on Maugean Skate conservation and recovery;
- Seeking funding from relevant sources to support implementation of the Conservation Action Plan and Conservation Advice;
- Reviewing and evaluating progress towards achieving Conservation Action Plan and Conservation Advice objectives; and
- Developing a brief annual report, or interim reports as required, to capture achievements and provide decision makers with clarity of progress against objectives and identify areas of recommended improvement and/or adaptive management.

In identifying the Recovery Team's areas of responsibilities, it is also important to identify those roles which sit outside of a recovery team's terms of reference. For example:

- It is not the role of the Recovery Team to make decisions on policy issues.
- The Recovery Team's responsibilities do not entail broader public engagement under the Recovery Team's name on issues beyond those agreed by the Recovery Team. This does not preclude members publicly raising and discussing other matters separately through and under their respective organisation's names.

3. RECOVERY TEAM MEMBERSHIP

The Recovery Team comprises an appropriate mix of representative stakeholders to coordinate implementation of the Conservation Action Plan and Conservation Advice for the species. These include federal and state government departments, industry, environmental non-government organisations, experts and researchers, accredited zoological institutions, and community members or groups. New members and partner organisations may join through an invitation from the Chair or through a direct request from a member to the Chair. The full Recovery Team will decide to accept new members and stakeholder organisations (see Section 6 'Decision Making'). Existing members representing stakeholder organisations may transfer their membership to another person within their organisation. Typically, such a transfer of membership does not require the approval of the Recovery Team. Members must inform the Chair of any changes in membership within an organisation as soon as practicable. Where a member cannot attend a meeting, a proxy from their organisation can attend. The Chair must be informed of any such arrangements before the meeting. Observers may attend meetings on a case-by-case basis. Requests to invite an observer must be made through the Chair and may be subject to broader Recovery Team approval. Observers are expected to meet the same standards of professional behaviour as members.

Current membership is provided in Table 1. An invitation to join the Recovery Team has also been extended to the Tasmanian Aboriginal community and the West Coast Recreation Association.

Table 1: Recovery Team membership

Name	Organisation	Reason for membership	Number of votes
Jo Crisp	Environment, Heritage and Lands Division, Department of Natural Resources and Environment Tasmania (NRE Tas)	Representative of State Government Agency accountable for species.	1 vote between members from NRE Tas Environment, Heritage and Lands Division
Davina Gregory-Dunsmuir	Environment, Heritage and Lands Division; NRE Tas	Representative of State Government Agency accountable for species.	
Tom Duncan	Environment, Heritage and Lands Division; NRE Tas	Representative of State Government Agency accountable for species.	
Sven Frijlink	Primary Industries and Water Division; NRE Tas	Representative of State Government Agency accountable for species.	1
Jarrold Edwards (interim)	Primary Industries and Water Division; NRE Tas	Representative for Tasmanian Aboriginal Community	1
Lesley Gidding-Reeve	Marine Species Conservation Section; Department of Climate Change, Energy, the Environment and Water (DCCEEW)	Representative of Federal Government Agency accountable for species.	1 vote between members from DCCEEW Marine Species Conservation Section
Alyssa Giffin	Marine Species Conservation Section; DCCEEW	Representative of Federal Government Agency accountable for species.	
Darryl Cook	Environment Protection Authority	Representative of independent environmental regulator	1
Leonardo Guida	Australian Marine Conservation Society (AMCS)	Representative of environmental-NGO sector	1
Colin Simpfendorfer	Commonwealth Threatened Species Scientific Committee	Representative of the Commonwealth Threatened Species Scientific Committee	1
Iona Flett	Cradle Coast Natural Resource Management	Representative of local NRM authority	1
Toby Patterson	CSIRO	Technical specialist on elasmobranchs	1 vote between members from CSIRO
Karen Wild-Allen	CSIRO	Technical specialist on Macquarie Harbour environmental dynamics	
Bec Sheldon	Hydro Tasmania	Representative of hydro-electric energy producer	1
Jayson Semmens	Institute of Marine and Antarctic Studies (IMAS), University of Tasmania	Technical specialist on species	1 vote between members from IMAS
David Moreno	IMAS	Technical specialist on species	

Jeff Ross	IMAS	Technical specialist on Macquarie Harbour environmental dynamics	
Maree Fudge	IMAS	Technical specialist social science and marine governance	
Matt Barrenger	Salmon Tasmania	Representative of aquaculture industry, with operations in Macquarie Harbour	1
Harriet Brinkhoff	Strahan Community Aquaculture Forum	Representative of West Coast community	1
Clint Mayes	Copper Mines Tasmania	Representative of local mining industry	1
David Midson	West Coast Council	Representative of Local Government Area	1
Laura Simmons	Zoo & Aquarium Association, SEA LIFE ANZ	Technical specialist on ex-situ conservation techniques	1

4. ROLES AND RESPONSIBILITIES OF RECOVERY TEAM MEMBERS

Terms of appointment are for two years, and membership of the Recovery Team will be reviewed annually, along with the Terms of Reference. The roles and responsibilities of Recovery Team members are outlined in Table 2 below.

Table 2. Roles and responsibilities of Recovery Team members

Position	Responsibilities (examples)
Chair	<ul style="list-style-type: none"> • Lead the Recovery Team to help achieve its objectives for species recovery • Lead in a manner that is consistent with team culture • Act as a spokesperson • Answer queries from stakeholders and the public • Write and receive correspondence • Seek advice on matters, sometimes at short notice, from the Recovery Team • Prepare and approve Recovery Team agendas • Lead meetings and decision-making processes • Ensure reporting obligations are met • Assist members to seek funding opportunities • Manage member conflicts following agreed processes
Vice-Chair	<ul style="list-style-type: none"> • Assist the Chair in their duties as required • Act as Chair in the absence of the Chair • Act as Chair when the Chair has Conflicts of Interest
Coordinator	<ul style="list-style-type: none"> • Organise Recovery Team meetings and prepare meeting agendas • Take minutes and record agreed on actions from meetings

	<ul style="list-style-type: none"> • Maintain currency of actions and follow-up on actions • Keep members regularly informed of Recovery Team matters • Maintain records of Recovery Team matters • Coordinate annual reporting and Terms of reference and membership review • Act as a spokesperson if asked by the Chair • Develop and disseminate communication products • Identify funding opportunities
Sub-group leader (if applicable)	<ul style="list-style-type: none"> • Report to the Recovery Team on group activities as required • Develop a timeline and scope document for the workshop group to be shared with the broader Recovery Team • Manage group following these Terms of Reference and the agreed timeline and scope of the sub-group • Request decision-making support where required
All members	<ul style="list-style-type: none"> • Work with Recovery Team to help it achieve its objectives for species recovery • Contribute their skills, knowledge and experience • Regularly attend and participate in meetings • Prepare meeting reports and agenda papers as required • Endeavour to align and coordinate the work of their organisation with the Conservation Action Plan and Conservation Advice • Share with their organisation the progress of implementation of the Conservation Action Plan and Conservation Advice, and broader relevant Maugean Skate issues • Identify gaps in knowledge relevant to the Conservation Action Plan and Conservation Advice • Seek to make available relevant information held by the organisations they represent to assist the conservation and management process. • Respect requests to contain information/data/reports within the Recovery Team and direct outside requests for information/data/reports to the organisation that owns these things • Behave in a manner that is conducive to constructive collaboration including: <ul style="list-style-type: none"> ○ Respecting all organisations and individuals involved in the team and the safety and wellbeing of all team member; ○ Respecting the perspectives of others; ○ Avoiding public criticism of the contribution of other members; and ○ Respecting the confidentiality, conflict of interest, and communications principles outlined in this terms of reference. • Lead sub-groups (where required)

Following an initial 2-year appointment, the position of Chair, Vice-Chair and Coordinator will be assigned according to voting at a Recovery Team meeting, by consensus or more than 50%.

5. STRUCTURE

Sub-groups may be formed if necessary to work on specific aspects of conservation plans or on other issues that the Recovery Team deems appropriate. These sub-groups may meet independent

of the entire team in order to facilitate completion of an assigned task. Sub-groups may include additional experts who are not members of the core recovery team. A member of the Recovery Team should be appointed to lead and coordinate the sub-groups. The sub-group leader writes a brief description outlining the purpose and membership of the group and expected timeframes for task completion. They will provide this document to the Recovery Team for endorsement and reference. Sub-groups will provide regular reports to the Recovery Team. Where relevant, sub-groups may be asked to present on progress on items at a Recovery Team meeting. Sub-groups are dynamic and can be established as temporary or permanent structures to service specific functions of the Recovery Team. There is no upper size limit of the Recovery Team or sub-groups, but Chairs and leaders will keep membership to a minimum to ensure efficient operation. The Coordinator maintains membership lists of the Recovery Team and sub-groups, which the Recovery Team reviews annually.

6. DECISION MAKING

The Recovery Team and any formed sub-groups will aim to make decisions by consensus. Members are entitled to support an option, object to an option, or abstain from decision making. Where a consensus is not reached, the different views of the team or group members will be recorded. Where a consensus is not reached but a decision is required, a majority will decide the outcome with a vote of more than 50%. When decisions need to be made out of session, the Coordinator will ensure that all members are aware of the information required to make the decision and the due date of the decision making. Members that do not respond to out of session decision making before the due date will be recorded as abstaining from the decision. Decisions made by sub-groups are considered as recommendations for ultimate Recovery Team decision-making.

6.1 Conflicts of Interest

Each member must declare any duality of interest in matters of concern to the Recovery Team, including verbally declare any potential non-standing conflicts of interest at the commencement of each meeting. Declared conflicts of interest will be recorded in the meeting Minutes and a register of declared conflicts of interest will be maintained by the Coordinator. Where a conflict of interest occurs during the meeting, the relevant member(s) will not take part in the relevant decision making and may be required to absent themselves from discussion of the relevant matter. The Coordinator will note the conflict of interest and relevant member(s).

A conflict of interest may arise when there is a conflict between your role as a Recovery Team Member and any other interests which could improperly influence the performance of your duties and responsibilities as a Recovery Team Member. Conflict of interest means a situation arising from a conflict between the duty to the Recovery Team and a private or personal interest. All Recovery Team Members have an obligation to immediately disclose any conflict of interest.

A conflict may be personal, financial or political. It may be actual, perceived or potential.

- (i) Actual: means there is a conflict between a person's official duties and responsibilities on the Recovery Team, and their personal interest.
- (ii) Perceived: means when a reasonable person, knowing the facts, would consider that a conflict of interest may exist, whether or not this is the case.
- (iii) Potential: means where a person has a personal interest that could conflict with their duties in the future.

Personal Interests occur when a decision a Recovery Team Member may be required to make, either directly or indirectly affects themselves, family or associates including (but not limited to):

- Immediate and extended family and members or associates with a close personal relationship (for example, a spouse, a sibling of a member's spouse, a grandparent, a grandchild, parents, cousins, aunts, uncles and friends); or
- Organisations in which the member is actively involved, such as a sporting club or cultural organisation; or
- Business partners: a conflict of interest may arise from a business proposal for a financial benefit to a member's partner or relative, a close personal friend or a professional colleague rather than the member themselves.

Financial interests could include:

- trusts;
- multiple roles: may occur if the member has a business or financial interests such as holding a company directorship or shareholding; or
- financial investment: where the member has access to information or is able to influence decision making so that he or she may benefit directly (such as shares in a company).

Political Interests occur when a member participates in political activities or makes political comment that may relate to, or be seen to relate to, the Recovery Team.

If you become aware of any conflicts of interest during your time as a Recovery Team Member, you are required to disclose any conflicts of interest or other items of disclosure at each Recovery Team Meeting or notify the Chair out of session.

Members must then declare a conflict of interest if it is on the agenda for the meeting or should it arise throughout a meeting, i.e., where they have a vested interest in the outcome of discussions or votes that are not reflective of the Recovery Teams objectives to protect the Maugean Skate.

Once you have disclosed a conflict of interest, you should not be present, or take part in any decision making processes relating to any matter in which you have a direct conflict of interest unless prior approval has been granted by the Chair for your participation. If you are voting member, you must abstain from voting on any matters relating to the conflict of interest.

The obligations outlined above also apply to individuals invited to participate in any subgroups and are not full members of the Recovery Team.

7. OPERATIONAL ARRANGEMENTS

- Meeting details
 - Meetings will be held in a hybrid format – online via Microsoft teams and in-person four times a year. More regular meetings may be planned at the start of the Recovery Team formation as may be required to support the emergency recovery actions for the species.
 - Discussions and minutes of meetings for all groups are confidential and members must only share their contents with other Recovery Team members and non-Recovery Team members in the partner organisations and sub-groups (where appropriate). For particularly confidential information, the member(s) providing this information must inform the group that it is so.

- Conflicts of interest in meetings will be dealt with as described in section 6.1 above.
- Meetings will be organised by the Chair, Vice Chair and Coordinator, and an agenda provided before the meeting.
- Records and minutes,
 - The Recovery Team Coordinator will take the minutes of meetings and records of all correspondence and reports will be kept by the Coordinator and be available to the Recovery Team members.
 - Minutes will be circulated for comment and finalisation within four weeks of the meeting.
 - The minutes of all meetings may be available to non-Recovery Team and associated members on request to the Chair.
 - Minutes will focus on actions and outcomes of meetings and who will undertake actions.
 - A communique of each recovery team meeting will be published online after each meeting has concluded. The communique will be a high-level summary and update of recovery team's deliberations.
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- Quorum
 - A quorum is met when a least half of the membership is present, and it must include the Chair or Vice Chair and one state and one commonwealth government representative, if they are not the Chair or Vice Chair.
- Information management
 - The Recovery Team will generally not collect, maintain or hold data.
 - Where data are collected on behalf of the Recovery Team, specific data sharing arrangements will be identified as part of the agreement. Where possible, all data collected on behalf of the Recovery Team will be open source and freely available.
 - Data collected, maintained or held by any organisation within the Recovery Team will be owned and maintained by that organisation, unless other arrangements are made.
- Communication
 - All Recovery Team communication with the media, including social media, or non-Recovery Team organisations on behalf of the Recovery Team will be referred to the Coordinator and approved by the Recovery Team Chair and the relevant state and/or Australian Government delegates. If the topic or content of a planned communication is deemed controversial, the Chair will seek to discuss the matter with the organisation preparing the material. This discussion will intend to ensure accuracy of reporting on Maugean Skate conservation and recovery activities, and due diligence in working with partners to communicate potentially controversial matters.
 - All members of the Recovery Team and sub-groups when communicating with the media, including social media, or non-Recovery Team organisations, will express views on behalf of their own organisation and limit detailed discussion to projects their organisation is delivering. Exceptions to this principle are: general recovery program progress can be discussed using messaging wholly consistent with the most recent public recovery program update (prepared by the Coordinator or the Chair after Recovery Team meetings); and members may discuss projects under the responsibility of other organisations if granted permission by the organisation responsible in advance.
- Fees and expenses

- Sitting fees will not be paid, positions on the Recovery Team are on an honorary basis. Costs and expenses for meetings logistics (e.g. room hire, catering) will be borne by the relevant host organisation as negotiated.
- Costs associated with travel to meetings will be covered by the individual or relevant agency unless other arrangements are made.

8. REVIEW AND REPORTING

An annual conservation plan progress report will be prepared by the Recovery Team facilitated by the Chair, Vice Chair and Coordinator, to coincide with the anniversary date of the conservation plan's endorsement. Reporting will be consistent with guidelines developed by the Australian Government and/or other agency requirements. The report will be publicly available and published on the Department of Climate Change, Energy, the Environment and Water website.

The Recovery Team will review the structure and membership of the Recovery Team and sub-groups and these Terms of Reference annually as part of the July 2023 Recovery Team meeting to ensure they remain the best way to implement the Conservation Action Plan and Conservation Advice.

9. NATIONAL REGISTRATION

The Recovery Team will seek registration on the Australian Government's register of recovery teams and maintain registration through annual reporting.

10. ENDORSEMENT

These terms of reference have been endorsed by the Recovery Team on 9 October 2023.



Jo Crisp

Chair of Maugean Skate Recovery Team

Version 1.1