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**2020/21**

# **Sea Urchin TACC**

**Statutory Consultation Plan**



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## PREAMBLE

Any submissions received in relation to the consultation being conducted by the Victorian Fisheries Authority will be published on the Authority's website. In making a submission, unless the person making the submission indicates to the contrary, they will be consenting to their submission, including their name only, being published on the Authority's website for 90 days from the conclusion of the consultative process.

### Closing date for submissions

The closing date for the receipt of submissions for consultation on the sea urchin total allowable commercial catch (TACC) is Monday 19 May 2020.

## FLOW CHART OF CONSULTATION



## CONSULTATION PLAN

1	Consultation Title	2020/21 Sea Urchin TACC Setting Process
2	Representative group/s being consulted	<input checked="" type="checkbox"/> Commercial wild-catch (Victorian Sea Urchin Licence Holders, Operators, Seafood Industry Victoria, Victorian Sea Urchin Fishery Association) <input type="checkbox"/> Recreational fishing <input type="checkbox"/> Aquaculture <input type="checkbox"/> Aboriginal communities <input type="checkbox"/> Conservation interests <input type="checkbox"/> Other group/s (please specify):
3	Managing Officer	Mark Asplin, Fishery Manager.
4	Target Start Date	01 May 2020
5	Target End Date	30 June 2020
6	Background/ History	<p>The framework for adjusting the Victoria Sea Urchin Fishery TACC is specified in the Sea Urchin Fishery Baseline Management Arrangements. The information required for adjusting the TACC involves a progression from low cost fishery-dependent data collection (<i>Level 1</i>) through to higher cost fishery dependent and independent data collection (<i>Level 3</i>).</p> <p>Currently the fishery is at Level 1, where the main data collected is fishery-dependent information mandated by reporting requirements. At Level 1, the TACC may only be reviewed after an initial four years of fishing. The fishery has now been operating for six years and a review of the commercial catch data shows annual catches are still well below the TACC set for each zone.</p> <p>The TACC will be set for the Port Phillip Bay and Eastern zones.</p> <p>The next quota period extends from 1 July 2020 to 30 June 2021.</p>
7	Relevant Statutory provision	Statutory consultation with stakeholders under Section 3A of the <i>Fisheries Act 1995</i> is required prior to the Minister or delegate making decisions related to Further Quota Orders.
8	<i>Purpose/objectives/scope</i>	To seek comment on the draft 2020/21 Further Quota Order.
9	Method	Broad industry consultation with key stakeholders via written communication.
10	Communication Plan	Decisions regarding Further Quota Orders are communicated through notices published in the <i>Victoria Government Gazette</i> and the VFA website. Letters informing stakeholders of decisions regarding Further Quota Order are sent to all identified stakeholder groups listed above.
11	Information provision	A letter detailing the proposal including the draft Further Quota Order will be distributed to all identified stakeholders.
12	Resources/advice (inc. purchase of advice)	Internal resources of VFA.
13	Output (documentation / implementation)	The 2020/21 Further Quota Order; letters to stakeholders; notices published in the <i>Victoria Government Gazette</i> ; and the VFA website.
14	Publication of results of consultation	<b><i>Any submissions received in relation to the consultation being conducted by VFA will be published on the VFA website. In making a submission, unless the person making the submission indicates to the contrary, they will be consenting to their submission, including their name only, being published on the VFA website for 90 days from the conclusion of the consultative process.</i></b>

Consultation Plan prepared by:

Mark Asplin

Fishery Manager

Date: 23 / 04 / 2020

Approved:



Travis Dowling

Chief Executive Officer

Date: 24 / 04 / 2020



## NOTES

### Principles for effective consultation

To the extent that it is practicable (refer Section 3A (1) of the Fisheries Act 1995), the following consultation principles apply to decisions made by the Minister, Secretary, or Victorian Fisheries Authority under this Act which affect the use and conservation of Victoria's fisheries resources:

- a) That the purpose of the consultation and the consultation process are clear, open, timely and transparent;
- b) That the level of consultation reflects the likely impact of decisions on persons and fisheries resources;
- c) That the consultation process is adequately resourced;
- d) That the consultation process flexible and designed to take into account the number and type of persons and/or sector groups to be consulted and their ability to contribute to the process; and
- e) That the consultation process should involve consideration of representative advice which represents the views and values of the persons represented from appropriate sector groups including:
  - Commercial wild-catch fishing
  - Recreational fishing
  - Aquaculture operators
  - Aboriginal fishers/communities
  - Conservation interests (as applicable)

The consultation process should consider expert advice from the most appropriate provider/s (as applicable) and any expert advice obtained during the consultation process should be made available to persons participating in the consultation process.

### Statutory consultation under Section 3A (2) of the Fisheries Act 1995

Matters that have previously required consultation in accordance with the Fisheries Act 1995 (the Act) will continue to require consultation. These matters are now consolidated in the Act under Section 3A (2); these are:

- a) a decision by the Minister to declare or amend a management plan under Part 3;
- b) a decision by the Victorian Fisheries Authority to vary a class of fishery licence under section 54(1)(c);
- c) a decision under section 54(1)(d) by the Victorian Fisheries Authority to vary or revoke a condition imposed by the Victorian Fisheries Authority, or to impose a new condition, on a class of fishery licence;
- d) a decision by the Minister to give, revoke or amend a direction on matters relating to the management of fisheries or zones in a fishery under section 61;
- e) a decision by the Minister to make, revoke or amend a quota order in relation to a fishery under section 64, 64A, 66C or 66D;
- f) a decision by the Minister to make, revoke or amend an order declaring sub-zones in a quota fishery under section 64AB or 66E;
- g) a decision by the Minister to appoint a person as a member of the Commercial Fisheries Licensing Panel under section 132(2)(c) or 132(2)(d);
- h) a decision by the Minister to nominate a person to be appointed as a member of the Licensing Appeals Tribunal under section 135(2);
- i) decisions relating to the making and content of regulations in respect of royalties and levies imposed in accordance with sections 150 and 151;
- j) decisions by the Minister relating to priorities for the disbursement of funds that may be paid out of the Recreational Fishing Licence Trust Account under section 151B;
- k) a decision by the Minister to make a fisheries notice under section 152(1).

### Statutory consultation NOT required

Statutory consultation is not required in relation to the following decisions—

- a) decisions which are specific to an individual licence or permit, the holder of a licence or permit or a person acting on behalf of a holder of a licence or permit; and
- b) reviewable decisions within the meaning of Section 137 of the Fisheries Act 1995.

