Fisheries Regulations 2019

New Victorian Octopus Fishery Licence Class

New commercial fishing opportunities help increase the economic, social and cultural value of Victoria’s commercial fishing sector. They provide economic development opportunities for current fishers to add value to their operations and provide a pathway for new entrants into our fisheries.

Under the Fisheries Regulations 2019, the VFA are establishing a Victorian Octopus Fishery; a sustainable and healthy fishery that offers economic opportunities to the commercial fishing sector and a high-quality seafood product to the consumer.

Why is this licence class being established?

There are a number of Victorian fishery access licence classes that harvest octopus as a by-product or by-catch of their fishing operations (i.e. not targeted). Maori octopus (Macroctopus maorum) are predominantly caught in the Victorian Rock Lobster Fishery, whereas pale octopus (Octopus pallidus) and gloomy octopus (Octopus tetricus) are caught in the Inshore Trawl Fishery, Port Phillip / Westernport Fishery and in the Corner Inlet Fishery and Gippsland Lakes. In addition to these Victorian fisheries, Commonwealth fisheries also retain a bycatch of octopus.

Unlike fisheries where octopus is taken incidentally, octopus (predominantly pale octopus) is specifically targeted by Ocean Fishery Access Licence (OFAL) holders. There has been a significant increase in the harvest of octopus by this licence class over the last few years.

The VFA sees an opportunity to develop a high-value, stand-alone octopus fishery that provides a high quality, boutique product that can attract a beach price of $10-$12 per kg. It is an opportunity for industry development - offering secure, ongoing access to a dedicated commercial fishery. There are no resource sharing issues as far as recreational fishing is concerned and there is limited interaction with other fisheries as pots are set offshore.

To this end, the VFA are establishing a Victorian Octopus Fishery with an Octopus Fishery Licence class.

How many licences will be available?

Given that there are 157 OFALs that authorise the use of an unlimited number of shelter pots to target octopus, there is significant latent effort in this licence class, which represents a risk to the sustainability of the octopus resource. The OFAL class is non-transferable so, to achieve an ongoing, dedicated octopus fishery, a separate Octopus Fishery Licence class will be created.

The VFA has appointed an Independent Allocation Panel (the Panel) to advise the Minister for Fishing and Boating on the OFAL holders who are eligible for the allocation process, as well as the most appropriate method for allocating the octopus resource amongst these eligible licence holders.

In the Eastern Zone, where the most recent catch by OFAL holders has been reported, it is expected that a small number of licences will be issued. After the fishery has been established through the new Fisheries Regulations, an Expression of Interest process will be conducted for a limited number of temporary permits to enable octopus fishing under strict conditions in the Central and Western zones.

In order to enable fishers who were catching octopus in 2019 to continue fishing while the octopus fishery is being established, a small number of temporary ‘bridging’ permits will be issued in the Central zone.

When will the licences be available?

The new Fisheries Regulations will come into operation on 1 February 2020. The Octopus Fishery will operate from 1 July to 30 June each year. Fishing for octopus will be authorised under transitional arrangements from 1 February 2020 until the fishery commences.
What will be the characteristics of the licence?
The new Octopus Fishery Access Licence will have the following characteristics:
• the licence will be transferable;
• there will be an ability to nominate an operator, in addition to the licence holder, to carry out activities authorised by the licence;
• the licence holder or listed operator may be assisted by crew members (no limit) when undertaking collection of octopus under the access licence;
• the licence will be subject to any conditions that the VFA deems appropriate and that are expressed or referred to on the licence; and
• cost recovery will apply once transferrable licences are allocated. This will cover fisheries management services such as compliance, management and research.

The following reporting requirements are prescribed for the Octopus Fishery Access Licence:
• any vessel used under an Octopus Fishery Access Licence will be required to have an operational Vessel Monitoring System (VMS) on board (this will be implemented at a later date in consultation with licence holders, with manual reporting required in the interim);
• monthly catch and effort Octopus Fishery logbooks (including additional information beyond the existing OFAL logbook requirements, based on the existing voluntary logbooks) with the ability to move to e-catch (electronic reporting); and
• catch disposal records (CDRs) to provide information on the landed commercial catch for the purpose of tracking the flow of legal catch from the first point of sale.

How will the Victorian Octopus Fishery be managed?
The fishery will be subject to a Total Allowable Commercial Catch (TACC), which will effectively, responsibly, and efficiently limit the total catch by the commercial fishery. As there is limited data available on biomass, the TACC will be set conservatively until the knowledge base can be improved.

A Quota Management System will be implemented for the commercial fishery to protect biological sustainability and to ensure economic productivity, while enhancing community support for fisheries management. Quota is a specific, tradable entitlement that controls total take to meet sustainability objectives while encouraging investment, stewardship and cooperation to maximise the value of the resource.

What does this mean for Ocean Fishery Access Licences (OFAL) holders?
OFAL holders are currently authorised to fish in most marine waters (other than bay and inlets) and can use a wide variety of gear to take a number of different species including unlimited amount of octopus.

Under the changes to the Fisheries Regulations, OFAL holders will no longer be authorised to harvest octopus from 1 February 2020. These changes are not expected to have a major impact on OFAL fishers, however, as only a small number of have recorded significant catches of octopus (e.g. over 0.5 tonnes per annum) since 2013.