

Abalone Fishery Resource Advisory Group

Terms of Reference

Definition of acronyms use in this document:

AVCZ – Abalone Victoria (Central Zone) Ltd
VFA – Victorian Fisheries Authority
FRAG – Abalone Fisheries Resource Advisory Group
TACC – Total Allowable Commercial Catch
SMU – Spatial Management Unit

1. Introduction

The Victorian Fisheries Authority (VFA), Abalone Victoria (Central Zone) Ltd (AVCZ) and its stakeholders are seeking to improve and refine the process of annual stock assessment and total allowable commercial catch (TACC) setting. A process that includes the use of validated data and reference points against which to measure fishery performance and make recommendations is proposed.

This same process will improve transparency and effectiveness of TACC setting by facilitating stakeholder input to inform advice to the DEDJTR on appropriate levels of total allowable catch and associated management actions and/or approaches.

DEDJTR, as the legislated manager of the fishery has, in consultation with all stakeholders, identified a number of actions in the Victorian Wild Harvest Abalone Fishery Management Plan including to formalise the process for setting TACCs and development of a harvest strategy that contains decision rules and reference points based on verified data. The AVCZ is working constructively with the Department towards development of a Harvest Strategy consistent with the Management Plan. Any process established by the FRAG will be complementary with the Harvest Strategy and Management Plan.

2. Role

The FRAG is a collaborative body between the VFA and AVCZ implemented to identify management improvements and provide recommendations to the Chief Executive Officer (CEO), VFA.

The FRAG will monitor and review information from the fishery and provide recommendations on appropriate TACC levels. In doing so, it will also consider associated management arrangements, including the spatial distribution of catch/effort and size limits.

Specifically, the FRAG is to:

- consider the outcomes of the abalone stock assessment¹, including the interim data report, updates and the peer reviewed² annual stock assessment which uses performance indicators and reference points consistent with the Harvest Strategy where possible;
- review performance of the fishery at the SMU level, against the agreed reference points as detailed in the Central Zone Harvest Strategy;
- discuss and collect evidence of the key drivers in the fishery influencing catch and effort distribution, including market and processor preferences, processing infrastructure etc;
- provide recommendations to the VFA, the AVCZ Board and stakeholders on the annual TACC and distribution of catch; and
- provide other advice from time to time pertaining to TACC setting and the status of the stock, for example, advice relating to size limits and zone boundaries.

Recommendations by the FRAG should, where possible, be by consensus, and where such is not achievable, divergent views will be recorded and provided to the CEO VFA.

3. Membership

3.1 Members

Membership of the FRAG will comprise:

- a) the full membership of the AVCZ Board
- b) CEO of the AVCZ
- c) 1 industry marine scientist
- d) 1 scientific representative from the VFA (Abalone Scientist)
- e) 1 VFA fisheries manager (Abalone Fishery Manager)
- f) 1 VFA senior management representative

¹ Further discussion is required on arrangements and costs related to completion of the annual stock assessment and may be reviewed on an annual basis.

² The peer review undertaken on the stock assessment will be external to the Victorian Fisheries Authority and/or the authors of the report. Peer reviewers will be drawn from qualified individuals from the scientific community who have expertise in stock assessments.

3.2 Chairperson

The Chairperson of the FRAG will be an independent appointment selected by AVCZ and VFA against agreed criteria. It is desirable that the appointee have some knowledge and experience of fisheries management.

The Chairperson will be responsible for managing meetings of the Group. The Chairperson will ensure that the Group fulfils its role as set out above.

3.3 Quorum

A quorum for a meeting of the group shall consist of no less than the Chairperson, 3 AVCZ Board members which must include 2 Industry Directors and 2 VFA members.

3.4 Term of Appointment

The appointment of any AVCZ Board member shall be valid until the 1 April of every year and following the annual AVCZ General Meeting.

3.5 Committee Member Remuneration

(a) Chairperson

The Chairperson will be entitled to a sitting fee. These costs are to be borne by AVCZ with the exception that VFA will cover the costs up to the amount as detailed under the cost recovery schedule allocated for the TACC forum associated with the final meeting to table TACC recommendations and advice for consideration by the Central Zone Stakeholders and the Minister/Delegate. This process recognises that a statutory consultation will still be undertaken by VFA as part of its regulatory responsibilities under the *Fisheries Act*.

(b) other members

Other AVCZ members may receive a sitting fee, and may be reimbursed for travelling expenses, noting this will be at the discretion of the AVCZ board.

Costs attributed to VFA participation may need to be considered in relation to current cost recovery schedules which do not contemplate the development of a FRAG process. It may be necessary to adjust costs to support this process effectively. VFA reserves the right to raise this matter with AVCZ when the cost recovery schedules are developed.

3.6 Observers and Advisers

Observers and advisors can attend the meeting at the discretion of the Chairperson. Requests to attend should be sent to the Chair in advance of the meeting and state the reasons for attending and any issues of particular interest.

Participation in discussion of the FRAG will be at the invitation of the Chairperson.

4. FRAG Operations

The FRAG will generally meet four times annually, at or around the following times to generally address the following matters:

- **July** - Review of the previous fishing year's stock assessment and how effective SMU management has been. This meeting may also discuss other matters to be determined such as, but not limited to, the performance of the harvest strategy once implemented, and consider upcoming research projects that could improve management of the fishery.
- **Oct/Nov** - Consider the stock assessment report and current data analysis as well as follow up on items identified from the July FRAG meeting;
- **December** - Review updates on data from the fishery and stock assessment. Initial TACC figures to be placed into the Harvest Strategy for consideration at FRAG; and
- **January (no later than 2nd week)** - Develop TACC recommendations and advice for consideration by the Central Zone Stakeholders and the Minister/Delegate.

The draft agenda is to be developed by the CEO of AVCZ in consultation with VFA and the FRAG Chairperson. AVCZ will distribute the draft agenda to FRAG members in advance of the meeting and incorporate feedback. The agenda will be finalised at the meeting.

Executive support for the FRAG will be provided by AVCZ.

Agendas and papers for meetings will be circulated at least one week prior to the meeting.

The Chair will manage each meeting and determine the pace and length of deliberations on agenda items. The Chair will seek to ensure that every member has adequate opportunity to participate in the discussions on each item.

Minutes will be kept of every meeting and circulated for comment before being formally adopted at the next meeting. Following adoption, minutes of meetings will be available to all stakeholders on request.

A Chairperson's summary of each meeting will be distributed to all FRAG members, and posted to the AVCZ website. At the request of members, the chair may be asked to provide additional reports and/or advice on specific matters of relevance to the FRAG.

The FRAG may request that AVCZ and the VFA carry out investigations on particular matters related to the TACC. The request will be considered by AVCZ and VFA and responded to in the context of current work programs and budget availability.

Advice on the TACC and associated issues will form part of the advice to the VFA and stakeholders prior to the statutory consultation period.

To minimise conflicts of interest, all members will declare interests at the commencement of each meeting.

5. Confidentiality

The specific deliberations of the FRAG should generally be treated in confidence in order to provide a forum for independent advice and debate. The FRAG may move into camera if required at the discretion of the Chairperson.

6. Review

The overall performance of the FRAG will be considered by the AVCZ Board and the VFA annually with a view to improving its performance.

If either party is not satisfied with the outcomes of the group and does not support continued membership on the FRAG, a resolution to withdraw the group can be provided to the chair who will facilitate discussion on this matter and advise the CEO, VFA and the CEO, AVCZ accordingly.