



WESTERN PORT/PORT PHILLIP BAY FISHERY CATCH LIMIT Fisheries Notice Renewal 2019

Consultation Plan

A series of thin, light blue wavy lines that sweep across the bottom right corner of the page, creating a sense of movement and depth.



Contents

<u>PREAMBLE</u>	<u>3</u>
<u>Closing date for submissions</u>	<u>3</u>
<u>FLOW CHART OF CONSULTATION</u>	<u>4</u>
<u>CONSULTATION PLAN</u>	<u>5</u>
<u>NOTES</u>	<u>7</u>



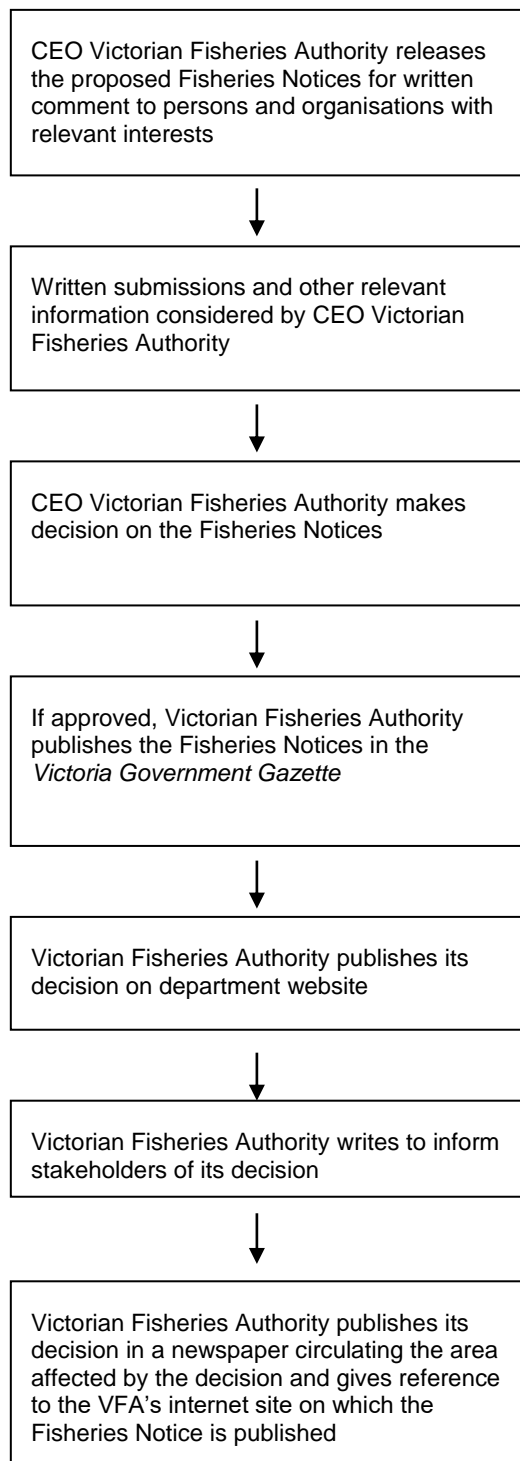
PREAMBLE

Any submissions received in relation to the consultation being conducted by the Victorian Fisheries Authority will be published on the Victorian Fisheries Authority 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 Victorian Fisheries Authority 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 this matter is **Thursday 13 June 2019**.

FLOW CHART OF CONSULTATION



CONSULTATION PLAN

1	Consultation Title	Fisheries (Western Port/Port Phillip Bay Fishery Catch Limit) Notice 2019
2	Representative group/s being consulted	<ul style="list-style-type: none"> ✓ Commercial wild-catch: (Seafood Industry Victoria) ✓ Recreational fishing: (VRFish)
3	Managing Officer	Kylie Wohlt, Principal Policy Analyst, VFA
4	Target Start Date	4 June 2019
5	Target End Date	13 June 2019
6	Background/History	<p>The following draft Fisheries Notices is being proposed:</p> <p>Fisheries (Western Port/Port Phillip Bay Fishery Catch limit) Notice 2019</p> <p>The Victorian Fisheries Authority (VFA), on behalf of the Victorian community, has statutory obligations to manage the State's fishery resources in a manner that is both sustainable and which ensures ongoing access to all users of the resource.</p> <p>The objective of this Fisheries Notice is to renew the notice which fixes and enforces annual catch limits for the taking of certain species of fish under a relevant Western Port/Port Phillip Bay Fisheries Access licence.</p> <p>The Fisheries Notice has been an effective transitional tool to manage the catch of important recreational species in Port Phillip Bay.</p> <p>There has been no change to the Fisheries Notice issued in 2018.</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 Fisheries Notices.
8	Purpose/objectives/scope	To seek comment on the draft Fisheries Notices.
9	Method	Consultation on draft documents is promoted via letters sent by email to the persons/groups noted in section 2 of this consultation plan and the Victorian Fisheries Authority website.
10	Communication Plan	<p>Decisions regarding the Fisheries Notices will be communicated through a notice published in the <i>Victoria Government Gazette</i> and the departmental website.</p> <p>Letters informing stakeholders of decisions will be sent to all persons/groups noted in section 2.</p>
11	Information provision	Stakeholders will be provided with a copy of all relevant Fisheries Notices as well as a summary/background document.
12	Resources/advice (inc. purchase of advice)	Internal resources of the Victorian Fisheries Authority.
13	Output (documentation / implementation)	Letters to stakeholders; notices published in the <i>Victoria Government Gazette</i> ; Notice published in the departmental website.
14	Publication of results of consultation	Submissions received in relation to the consultation being conducted by the Victorian Fisheries Authority will be published on the Victorian Fisheries Authority 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 Victorian Fisheries Authority website for 90 days from the conclusion of the consultative process.

Consultation Plan prepared by:

Approved

Kylie Wohlt

Principal Policy Analyst

Date: 4/06/2019

Travis Dowling

Chief Executive Officer Victorian Fisheries Authority

Date: 4/6/2019

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 delegate), 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 Secretary to vary a class of fishery licence under section 54(1)(c);
- (c) a decision under section 54(1)(d) by the Secretary to vary or revoke a condition imposed by the Secretary, 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*.