



Rock Lobster Tagging Program Fisheries Notice Renewal 2020

Consultation Plan

A decorative graphic at the bottom of the page consisting of several thin, light blue lines that curve and flow from the left side towards the right, creating a sense of movement and waves.



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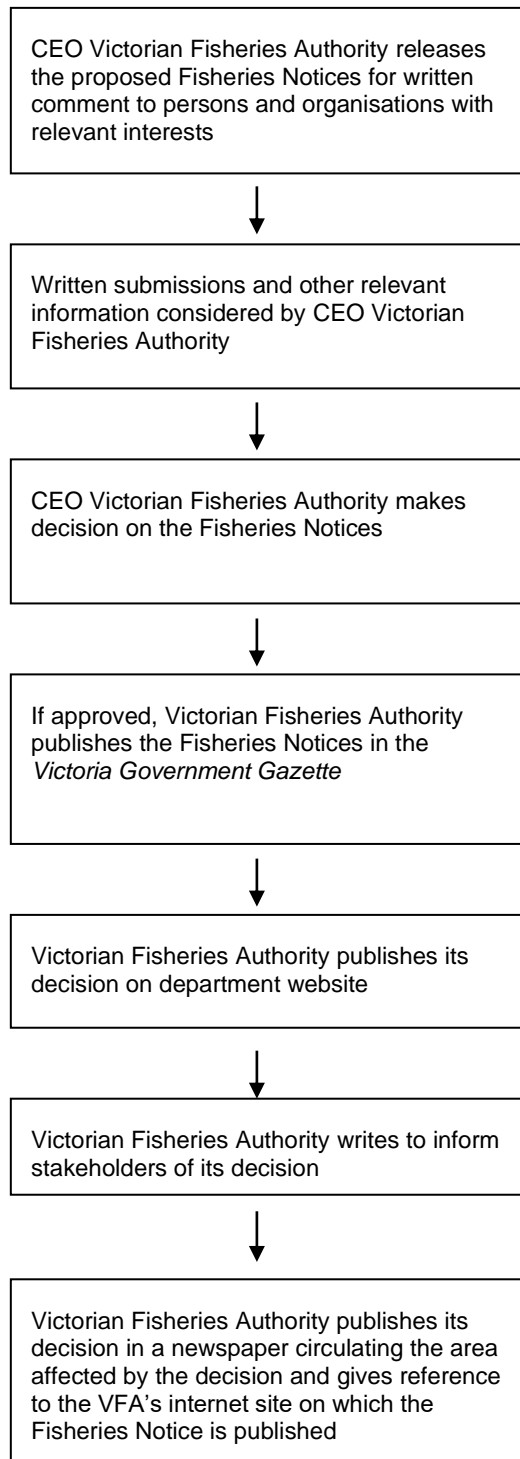
PREAMBLE

Any submissions received in relation to the consultation being conducted by the Victorian Fisheries Authority will be published on the 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 **Friday 19 June 2020**.

FLOW CHART OF CONSULTATION



CONSULTATION PLAN

1	Consultation Title	Fisheries (Rock Lobster Tagging) Notice
2	Representative group/s being consulted	<input checked="" type="checkbox"/> Commercial wild-catch: (Seafood Industry Victoria) <input checked="" type="checkbox"/> Recreational fishing: (VRFish, Future Fish, Southern Freedivers Association, Geelong Freedivers Inc., Victorian Spearfishing Commission, Latrobe Valley Scuba Club) <input type="checkbox"/> Aquaculture <input type="checkbox"/> Aboriginal communities: <input checked="" type="checkbox"/> Conservation interests: (Environment Victoria) <input type="checkbox"/> Other group/s (please specify):
3	Managing Officer	Toby Jeavons, Fishery Manager
4	Target Start Date	8 June 2020
5	Target End Date	19 June 2020
6	Background/History	<p>The following draft Fisheries Notices is being proposed:</p> <ul style="list-style-type: none"> Fisheries (Rock Lobster Tagging) Notice 2020 <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 proposed Fisheries Notice renews the requirement for recreational fishers to place a tag on the rock lobsters they catch and keep. Tags will be unlimited and free to all recreational fishers. Fishers will be required to obtain the tags (online or through selected VFA Offices) and then report on the use of those tags. The number of tags used each year will represent the number of rock lobsters being removed from the stock in that year and will be assessed in conjunction with data from the commercial fishery.</p> <p>The project is collecting information on recreational rock lobster catch and developing an ongoing data time series to improve the stock assessment analysis and management of the fishery.</p> <p>The tagging program will commence Season 4 of the program on 16 November 2020, with annual review and reporting.</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 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 notices published in the <i>Victoria Government Gazette</i>, a newspaper circulating the area affected by the decision and the departmental website.</p> <p>Letters informing stakeholders of decisions will be sent to all persons/groups noted in section 2.</p> <p>Any changes to recreational fishing regulations will be included in the Victorian Recreational Fishing Guide.</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	Letters to stakeholders; notices published in the <i>Victoria Government Gazette</i> ; Notice published in

	(documentation / implementation)	newspaper circulated in area affecting the Fisheries Notice; 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/not approved



Toby Jeavons
 Fishery Manager
 Date: 27/05/2020



Travis Dowling
 Chief Executive Officer,
 Victorian Fisheries Authority
 Date: 02 / 06 / 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 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*.