



Hon Melissa Horne MP

Minister for Consumer Affairs, Gaming and Liquor Regulation
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Mr Travis Dowling
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Dear Mr Dowling

STATEMENT OF EXPECTATIONS FOR THE VICTORIAN FISHERIES AUTHORITY

I am pleased to provide you with this Statement of Expectations (SOE) for the Victorian Fisheries Authority (VFA). This SOE applies for the period 1 July 2020 to 30 June 2022, or until otherwise amended.

Improving the administration and enforcement of regulation

This SOE sets out my expectations of the VFA in its contribution towards the Government's program to reduce red tape affecting businesses, organisations and the community by promoting greater efficiency and effectiveness in the administration and enforcement of regulation. The SOE establishes clear expectations for the VFA's performance across critical elements of good regulatory practice and outlines key governance and performance objectives. It also outlines my expectations on broader improvements for the VFA's performance in areas that can reduce the cost impact on Victorians and Victorian business.

As Minister for Fishing and Boating, I am responsible for administering the *Victorian Fisheries Act 2016* (the VFA Act) and the *Fisheries Act 2019*. This SOE should be read within the context of the objectives, obligations and functions outlined in these acts and associated regulations.

Improvements and targets

Based on consultation with the VFA, I have identified key elements of governance and operational performance where there are opportunities for the VFA to make improvements that would reduce cost impacts on Victorians and Victorian business. The VFA is expected to identify activities it will undertake to achieve the following performance improvements and targets.

1. Timeliness

The Victorian Government is committed to achieving the most efficient regulatory system in Australia. Regulatory costs can often result from issues around the timeliness of approval

processes, unanticipated delays and coordination problems in administrative decision making, rather than from regulatory design.

My expectation is that the VFA will provide clear advice to its stakeholders regarding expected completion timeframes for any administrative, licensing or certification processes or procedures.

Over the life of the previous SOE, the VFA made a number of important advances in its online capacity for commercial fishing and aquaculture businesses, recreational fishing licence sellers and recreational fishers. I expect the VFA to continue improving and enhancing its systems and online capability to create a better user experience through efficient online administrative processes.

Specifically, I expect the VFA to focus on removing paper-based administrative processes where possible and identify opportunities to reduce administrative processing timeframes. I also expect the VFA to continue building its e-capability by enhancing the Vic-eCatch, VicRLTag, GoFishVic and Rec Fishing Guide online systems.

2. Risk-based strategies

To ensure priorities are set appropriately and activities are strategically focused, I expect the VFA to build on its use of risk-based approaches across the business. In so doing, I expect the VFA to consistently improve its methodology of data collection to inform risk-based strategies and reporting, and continue to use a risk-based approach in the enforcement of regulation.

I expect the VFA to focus on continual improvement in its resource management processes by establishing a structured approach that guides monitoring programs, ecological risk assessments, harvest strategies and fishery management plans for Victoria's marine and estuarine species. I expect the VFA to deliver an annual cycle of stock assessment and reporting of Victoria's quota and non-quota fisheries, with a focus on improving the assessment framework process of non-quota species and fisheries. I expect the culmination of this work to be evidenced with the annual publication of stock assessment reports on the VFA's website.

The *Freshwater Fishery Management Plan 2018 -2028* is best practice approach to managing recreational fishing, so I expect that the VFA continues implementing the Plan's priorities to improve the health of our inland fisheries and the habitats that support them. This includes achieving stocking targets and rebuilding and replenishing priority native fish stocks by delivering a new native fish hatchery in northern Victoria. I expect the VFA to deliver data collection and monitoring programs, including the *Native Fish Report Card* program, that enable meaningful targets to be established to measure Victoria's native freshwater fish populations. I also expect that the VFA continues to gather the necessary data to ensure a harvest strategy can be developed in 2023.

To manage current and emerging compliance risks, I expect the VFA to continue implementing an intelligence-informed risk-based compliance model that enables investigations to be focused on illegal activities with the greatest potential for impact on the sustainability of Victoria's fishery resources. I also expect that the VFA upholds community

confidence and fosters a general deterrence by retaining a base model of enforcement cover across Victoria.

3. Compliance-related assistance and advice

I acknowledge the extensive work done by the VFA to engage with the community and increase understanding of fishing rules and regulations and I expect that to continue over the life of this SOE.

Through its educational programs, I expect the VFA to maintain its efforts in providing comprehensive, straightforward and easily accessible information to the community. This should include the use of traditional and emerging social media platforms to deliver key messages about compliance and public safety issues to the community, as well as fisheries products that aim to improve people's familiarity with fisheries rules and regulations.

I expect the VFA to continue initiatives that build on the work it has done to promote stewardship within priority communities and foster cross-cultural understanding of fishing and sustainable resource use. I also expect that educational programs and community events continue to be accessible, inclusive and acknowledge the diversity of the VFA's stakeholders.

I expect the VFA to continue to find innovative and efficient ways to make information for commercial fishers and aquaculture businesses more easily accessible and understood, particularly in the delivery of essential information.

4. Incentive-based regulation

The use of incentive-based regulation can be used to create opportunities for regulators to more efficiently use their resources and improve regulatory outcomes by inducing the behaviours the regulator aims to achieve.

With this in mind, I expect the VFA to continue collecting data that will enable identification of opportunities for reduced or redirected enforcement effort through the evaluation of fishing activities. As part of this, I expect the VFA to continue its program to introduce vessel monitoring systems in commercial fisheries as specified in the *Fisheries Regulations 2019*.

I also expect the VFA to explore a tiered infringement system that will establish tiered penalties for breaches of size and catch limits according to the circumstances in which the offence was committed. The aim is to align the magnitude of the breach with the magnitude of the offence.

5. Cooperation amongst regulators

The sustainable use and management of Victoria's natural resources is shared amongst numerous regulators. Sharing information, resources and knowledge promotes an environment of collaboration and efficiency that strengthens the outputs of individual agencies and the government in its entirety.

To this end, I expect the VFA to continue its efforts to build a more effective and efficient compliance management system across government by collaborating on a national level with other fisheries management and enforcement agencies to identify good practice and

share lessons learnt. Where appropriate, the VFA should facilitate data sharing and collection amongst relevant agencies.

I also expect the VFA to continue collaborating with state-level regulators and agencies whose responsibilities overlap with those of the VFA, including collaboration with the Department of Environment, Land, Water and Planning (DELWP) in protected species management and contribution to Victoria's All Hazards, All Emergencies approach to emergency management. As a leader in intelligence services and enforcement, I expect the VFA to continue its provision of support to the Game Management Authority and to Maritime Safety Victoria in ensuring fishers comply with relevant environmental and maritime safety laws.

To deliver the Victorian Government's *Target One Million – Phase Two* program, I expect the VFA to maintain strong relationships with DELWP, the Environmental Protection Authority, Parks Victoria, Better Boating Victoria and local governments.

6. Stakeholder consultation and engagement

Effective communication and engagement with stakeholders can reduce regulatory burden, facilitate improved performance by the regulator and lead to better outcomes for all involved. The VFA has a strong focus of consultation and engagement with its stakeholders and I expect this to continue to ensure that the VFA has an ongoing understanding of the changing needs and priorities of commercial fishers, aquaculture businesses, recreational fishers and the community.

Through regular engagement, I expect the VFA to maintain strong collaborative relationships with representative bodies involved in fisheries and natural resource management. I also expect the VFA to progress the methods and regularity of engagement with commercial fishers, particularly in non-quota managed fisheries.

I expect the VFA to pursue genuine engagement, partnership and participation with Indigenous Australians by continuing to actively engage with Traditional Owner groups who have an interest in fishery management issues.

I expect the VFA to continue to support the community by delivering and supporting events that are aimed at encouraging participation in recreational fishing. In particular, I expect the VFA to maintain its focus on the continual removal of any barriers that may hinder people of all backgrounds and abilities from enjoying all that Victoria's recreational fishing has to offer.

7. Accountability and transparency

To ensure good regulatory practice, the administration of regulation should be transparent and subject to public scrutiny through effective performance reporting. Regulators should be open and clear about how regulatory decisions are made and should convey the application of regulation to stakeholders.

I expect the VFA to continue to ensure that all stakeholders have access to reliable and relevant information, in appropriate formats and language, to facilitate a good understanding of fisheries issues and the processes by which fisheries management decisions are made. To this end, I expect the VFA to remain committed to maintaining an effective and productive consultation and engagement process that involves all

stakeholders, which I expect to be evidenced through the availability of relevant information on the VFA website. In keeping with this, I also expect that the VFA utilises its website and social media platforms as key means of providing accurate and up-to-date information.

To ensure the VFA's primary objective to sustainably manage Victoria's aquatic resources is being met, I expect improved transparency and transparency in publicly reporting on fishery performance. I expect the VFA to continue to report annually on the status of Victoria's key fish stocks and ensure reports, including stock assessment reports for quota managed fisheries and the *Victorian Fish Stock Status Report*, are published on the VFA in a time appropriate manner.

I expect the VFA to continue to deliver existing management plans, conduct reviews of the *Giant Crab Fishery Management Plan* and the *Wrasse Fishery Harvest Strategy*, and develop management plans for the octopus and Corner Inlet fisheries.

I expect the VFA to continue to implement the *Freshwater Fishery Management Plan 2018-2028* and the *Victorian Wild Trout Strategy 2020–2025*. Over the life of the SOE, I also expect the VFA to develop a Native Fish Stocking Strategy, an RFL Strategic Plan to guide RFL investment to ensure alignment with stakeholder expectations, and a harvest strategy for the recreational snapper fishery.

Where possible and appropriate, I expect the VFA to publish information about the outcomes of its enforcement activities to increase transparency around how the VFA administers and enforces regulations and continue to enhance public understanding of fisheries compliance.

Good governance is an essential component of regulator integrity. I expect the VFA to show continued growth as a mature statutory authority by demonstrating that the priorities of the Government are addressed, and that its regulatory performance is efficient and effective.

I expect the VFA to demonstrate its ongoing transition to a stand-alone organisation through the development and implementation of mechanisms used to drive and support good governance. I expect the continued implementation of the *VFA Governance Framework* and development of a risk management framework, a workforce strategy and an asset management strategy to ensure the VFA has effective internal accountability measures in place.

I expect the VFA to observe the reporting requirements described in the *VFA Act 2016* through annual reporting mechanisms, including publication of an annual report that showcases the VFA's work against its objectives.

As part of its commitment to delivering good governance, I expect the VFA to review the efficiency and effectiveness of the cost recovery model used for the collection of fees and levies in the commercial fishing sector. The review should include an exploration of alternative models to determine, in consultation with industry, a best practice approach that provides appropriate outcomes for Government and the commercial fishing industry.

8. Clear and concise regulatory activities

To encourage positive regulatory outcomes, the design and delivery of fisheries regulation must be efficient and easily understood by stakeholders and the broader community. I expect the VFA to ensure that its regulatory practices are efficient and do not impose an unnecessary burden on regulated parties nor the community. To do this, I expect the VFA to continue developing and delivering an annual education and enforcement action plan.

I expect the VFA to deliver changes in Crown land access to create camping accessibility on licensed Crown land. In so doing, I expect the VFA, in partnership with DELWP, to run a consultation process on the regulations for this activity and provide clear information on how and where recreational users can access and use Crown land.

I also expect the VFA to continue exploring opportunities to support innovation in Victoria's commercial fishing and aquaculture sectors. This is particularly important given the changing dynamics and market disruptions caused by the coronavirus (COVID-19) pandemic. I expect the VFA, in consultation with industry and the Aquatic Strategic Action Group, to investigate opportunities to increase consumer access to local markets, improve consumers' understanding of local products, and support seafood supply chain value-adding and diversification.

Reporting and evaluation

The VFA's progress reporting against the performance improvements in this SOE should be undertaken in the context of the annual reporting cycle to avoid dual reporting streams. As part of annual reporting, regulators are expected to report on:

- Current baseline levels for performance targets set in this SOE, and
- Activities to be undertaken to reach the performance targets and improvements set out in this SOE.

I expect the VFA to respond in writing within two months of receiving this SOE, outlining the specific activities the VFA will undertake to achieve the improvements and targets detailed above.

I also expect the SOE targets to be incorporated into the VFA's Annual Business Plan, and for the SOE and the VFA's response to be published on the VFA's website upon approval.

Yours sincerely



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18/11/2020