

## Attachment 2

### Revised Management Arrangements for Westernport/Port Phillip Bay fishery

Following consultation on the proposed changes to the Westernport/Port Phillip Bay Fishery, the VFA will proceed with implementing key changes in this fishery. Species catch limits on four key recreational species, and caps on total non-bait species will be implemented. There will be no change to operator or weekend/public holiday restrictions.

The revised management arrangements for the Western Port/Port Phillip Bay Fisheries Access Licences were proposed to ensure the implementation of the Target One Million (TOM) plan which was announced in 2014. The TOM plan, with the buyout of nets from Port Phillip Bay is a key government commitment and aims to increase recreational participation, facilitate improved recreational fishing outcomes and increase fish stocks for recreational fishers.

The TOM plan objectives align with the objectives of the *Fisheries Act 1995* through the promotion of recreational fishing opportunities for the benefit of present and future generations. The Government's commitment to continue a viable non-net fishery in the bay from 2022 onwards also aligns with objectives to support commercial fishing into the future.

#### 1. Operator restrictions

##### Proposal

Restrict the number of operators on each licence such that there is only one person authorised to carry out the fishing activities authorised by the licence. This change was proposed to prevent licence holders from fishing two different fishing operations from the same licence.

##### Outcomes of consultation

Following consultation on this proposed change, the VFA determined that two operator provisions are an important element of their businesses, and that most licence holders are utilising this provision in the way in which it was intended. That is, to allow flexibility to utilise the licence during periods when the primary operator was unable to be present (e.g. seasonal employment, during illness or other special circumstances).

##### Proposed change

The VFA will not implement this change and will continue to allow up to 2 operators on each licence (including the licence holder) to allow flexibility in operations. There will continue to be a prohibition on two operators using the licence at the same time. It should be noted that the proposed catch limits will ensure the prior concern is managed.

#### 2. Weekend and public holidays

##### Proposal

Prohibit use of the licence on weekend and public holidays. This change was proposed to prevent sectoral conflict between bay users during peak periods.

##### Outcomes of consultation

During consultation, licence holders explained how they already voluntarily minimised interactions with other bay users, with most fishers choosing not to fish during these periods except under special circumstance (e.g. to optimise weather, need for assistance in operation). There was some support from the recreational sector to prohibit fishing on public holidays, however given the high traffic in the bay throughout the week, such a change was deemed to be unlikely to have any impact and would not add significantly to the future phase out of commercial fishing.

#### Proposed change

This change will not be implemented. There will be no change to weekend or public holiday fishing.

### 3. Species catch limits

This change was proposed to prevent a shift in targeting of key recreational species – in particular King George whiting, which is a high value recreational species and the source of previous conflict by commercial fishers. The limits will apply to KGW, calamari, snapper and flathead only. All other species (e.g. gummy shark, garfish, salmon) will continue to be caught within the non-bait catch limit on the licence as described at point 4 below. The regulated annual catch limit per licence remain the same.

These changes will have no impact on licence holders who continue to fish as they have historically fished.

#### Outcome of consultation

There was some concern that species limits would lead to discarding of lower value species and a shifting of effort outside of the bay to supply the market. There was some opposition to species limits, and its potential to limit a fisher's ability to supply markets.

#### Proposed change

The VFA will implement this change by Fisheries Notice in order to uphold the intent of the Government policy. The VFA has considered feedback proposed during consultation and will make two adjustments to this proposed change.

1. The species catch limit for King George whiting will increase from the proposed 3,500kg to 4,500kg (within annual catch limits) in recognition of the annual variation in stocks.
2. For the fishers who have catch limits in excess of 11,000kg, their species limits will be 'pro-rated' against their 'species other than bait' limit (set at point 4 below). For these fishers, the species catch limits will be slightly adjusted in recognition of this. Individual fishers will be notified of their individual limits in writing.

For example:

- If your non bait catch limit is 11,000 kg - KGW limit will be 4,500kg
- If your non bait catch limit is 14,000 kg - KGW limit will be 5,700kg (that is, 4,500kg \* 1.27).

This allowance will make a negligible difference to any fisher who has a high bait catch history.

### 4. Catch limit on species other than bait

Whilst the species catch limits described above protect the 4 key recreational species, an additional measure was proposed to ensure that the total catch of all non-bait species remains consistent with historic catch levels on each licence.

A catch limit on species other than pilchard, anchovy and sprat will apply to each licence to prevent a shift from bait fishing to non-bait fishing, in line with the intent of the policy. The catch limit on species other than bait species will be set based on the average historic catch of all species other than pilchard, anchovy and sprat taken under the licence over a specified period or 11,000kg – whichever is greater.

This change will have no impact on any licence holder's current or historical fishing practices, but will safeguard the non-bait species not protected by species catch limits (e.g. gummy shark, garfish, salmon) from any future shift in effort by those licence holders who have a high catch limit based on their high historic bait catch.

#### Outcome of consultation

Whilst some stakeholders expressed dissatisfaction with the broader policy, there was no specific opposition to this element of the proposal.

#### Proposed change

The VFA will implement this change by Fisheries Notice.