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Via email: travis.dowling@vfa.vic.gov.au

Dear Travis

Proposed Fisheries (Western Port/Port Phillip Bay Fishery Catch Limit) Notice 2022

Seafood Industry Victoria (SIV) welcomes the opportunity to provide comment on the draft Fisheries Notice on the Western Port/Port Phillip Bay Fishery Catch Limit.

At the outset SIV wishes to make clear our concern and disappointment that the by-catch limits for species other than snapper contained in this draft notice do not reflect the proposed management arrangements previously put forward by the VFA, as recently as 13 February 2022.

Common ground on catch limits had been reached among all fishing sectors

These previous management arrangements, developed in close consultation between all fishing sectors, and endorsed by Port Phillip Bay's existing 8 Licence Holders, reflected broad agreement among parties on a by-catch limit that would:

- Provide commercial fishing operators with the certainty they need to maintain business viability.
- Give the recreational fishing community confidence that their share of the Bay's fish stocks will not be compromised and can continue to be accessed safely.
- Ensure the Victorian public continues to have access to quality, highly valued seafood each year.

The proposal led by SIV put forward viable and acceptable management arrangements (Summary):

1. 8 Licences (only) available for commercial fishing in the Bays.
2. Maximum catch in fishery if all limits were caught: 232 tonnes (29 tonnes/Licence).
1. Entitlement per Licence:
 - 11T longline snapper quota
 - 18T annual catch limits including:
 - 3T King George whiting
 - 1T shark (and a commitment from the VFA that they will negotiate with the Commonwealth to increase the Gummy Shark catch limits)
 - 2T calamari
 - 2T flathead
 - 10T other species
 - Zero Tonne abalone, jellyfish, rock lobster, giant crab, scallop and sea urchin.

But the proposal and consensus has been ignored, and goodwill damaged

The consensus on shared objectives, and the goodwill that underpinned it, has been ignored by the Victorian Government decision of 26 February to rescind VFA's proposed management arrangements for the Bay.

Instead, the new draft VFA Fisheries Notice 2022 proposes:

- a 2 tonne per licence annual combined catch limit for fish other than snapper and shark;
- a 1 tonne per licence annual catch limit for shark;
- and a zero catch of King George whiting, calamari, kingfish and mullet.

SIV notes this differs from the allowable catch limits referred to by Minister Horne in her media release of 26 February which says:

The VFA Notice proposes no more than one tonne of flathead, one tonne of shark and two tonne of other species (excluding King George Whiting and calamari).¹

Irrespective of whether the annual combined catch limit is 112 tonnes of seafood (including the entitlement of 11 tonne of snapper per Licence Holder), or 120 tonnes, this is a massive cut in the maximum catch limit of 232 tonnes previously advanced by SIV and supported by Licence Holders.

And the value of existing commercial licences has been significantly diminished

The extremely limited catch of species other than snapper effectively renders the business of commercial fishers unviable. It is a major blow to individual operators, their families and local communities who depend on the ability to fish the Bay for not only snapper, but a small by-catch of other species each season.

¹ Port Phillip Bay Commercial Fishing By-Catch Limits Announced. Media release from the Minister for Fishing and Boating, Melissa Horne. February 26, 2022

Previous SIV research presented to the VFA shows the annual costs associated with running a commercial fishing business – crew, fuel, insurance and equipment – can easily exceed \$300,000. Based on 14 tonnes of catch per annum, and assuming conditions are good, a fishing family might gross \$147,000. This leaves a sizeable financial shortfall that is unsustainable.

The government's decision fails to understand this precarious financial position.

SIV is concerned about mental health repercussions for existing Licence Holders

The impact of the decision to significantly reduce catch limits on the mental health and wellbeing of existing Licence Holders should not be underestimated.

The Fishery's Licence Holders are generational fishermen who have invested deeply, emotionally and financially, in operating safely and responsibly to ensure there will be sustainable fish stocks for generations to come.

Their wish is simply to earn an honest living, paying wages, mortgages and covering the cost of running a fishing business that lets Victorian people make the choice to buy locally caught Victorian seafood.

Several Licence Holders have told SIV their lives are now at a crossroad. This is not surprising; their way of life is not easily transferrable to other skills or industries. Their operations cannot be easily sold or transformed into different business activities or markets.

For many, hopes and livelihoods have literally been sunk.

With less fresh seafood available, Victoria and the Victorian public will be major losers

The Victorian public will also be a major loser from the steep cut in catch limits that will take effect from 1 April 2022. Independent consumer survey research conducted by Macroplan on behalf of SIV in November last year shows Victorian consumers have a strong preference for fresh fish over frozen product.²

However, under the proposed Fisheries Notice 2022 up to 120 tonnes less fresh seafood will be caught during the year by commercial fishers, reducing access by the public to affordable, fresh, and sustainably caught Victorian seafood that would ordinarily be available to purchase from fishmongers and seafood markets.

Further, at a time when Victoria is seeking to rebound and recover from the effects of COVID-19 and fragile global markets, the state's trade performance will suffer from the loss of valuable seafood income sourced by commercial fishers, and the state's dependence on imported seafood products will grow.

Arbitrariness rather than science appears to be driving decisions around catch limits

SIV has every expectation that in setting fisheries notices and antecedent catch limits, seafood industry regulators and decision-makers are basing their decisions on wide consultation and robust scientific evidence on current and projected stock levels in the Fishery.

SIV is not aware of any scientific rationale that would substantiate the significant reduction in catch limits embodied in the proposed fisheries notice for the Western Port/Port Phillip Bay Fishery.

² Victorian Seafood Consumption Survey. Macroplan, November 2021.

The absence of contemporary published data suggests an arbitrary approach has been taken in fixing the annual snapper quota and species-specific catch limits.

With annual access licences and the automatic revocation of the Fisheries Notice to take place in twelve (12) months, Licence Holders have little confidence in the longer-term future of the Fishery.

One can only speculate what the catch limits for the taking of snapper and other species might be in 2023 if there is no real understanding of the current and projected health of the Fishery.

Businesses cannot make sound investment and hiring decisions without this information and regulators should not be making decisions that affect business without it either. The problem is well summarised by the Fisheries Research Development Corporation:

... there is a need to develop methods for determining sustainable catch limits in a recreational dominated fishery to improve confidence in the assessment of potentially vulnerable fish stocks. Commercial catch and effort is currently one of the main indicators of change in relative stock size for commercial and recreational species in Port Phillip Bay. The removal of netting from the Bay brings the long time series of catch, effort and CPUE data to an end. While some longlining will remain, the value of the CPUE data from that sector as an indicator of abundance is uncertain, but in any case, will only include the main target species (Snapper) and possibly major by-product species. Annual pre-recruit and larval surveys are carried out for Snapper ... however, there is no monitoring of adult populations in the Bay. Existing monitoring programs could be expanded.³

Concluding comments


The remaining 8 commercial fishers want Port Phillip and Western Port Bays to yield good catches of quality fish for generations to come.

Along with SIV they are committed to continuing to work constructively with all fishing interests to co-exist responsibly, minimise negative interactions, and maintain a good supply of fresh fish for the benefit of Victoria's seafood consuming public.

SIV calls on the VFA to support this approach by revoking the draft Notice 2022 and replacing it with one specifying catch limits aligned to those proposed by SIV and endorsed by Licence Holders.

Doing so will enable existing commercial fishers to not only survive but prosper over the longer term. Importantly, the Victorian public will benefit from having access to fresh, locally-caught seafood.

Yours sincerely



Joanne Butterworth-Gray
SIV Independent Chair

³ The social drivers and implications of an ecological risk assessment of both recreational and commercial fishing — A case study from Port Phillip Bay. FRDC Project No 2014/207. 2017