

**Review of Consultative Arrangements in Victorian Fisheries**  
**Proposed Framework Options Paper (May 2008)**  
**Response Booklet**

***Privacy disclaimer:*** Please note that submissions received in response to the Proposed Framework Options Paper will be treated as public submissions. Submission details may be referenced in any subsequent reports and may be published on the DPI website.

**Please tell us who you are:**

Name                      **SCUBA Divers Federation of Victoria (SDFV)**  
Address details        **GPO Box 1705 Melbourne 3000**  
Email                     **sdfvexec@sdfv.org.au**

**Please mark a box to identify your affiliation:**

- Recreational fishing sector  
 Commercial wild catch fishing sector  
 Aquaculture sector  
 Conservation sector  
 Indigenous community  
 Government (please specify agency) .....  
 Other (please specify) .....

**Please mark a box to specify stakeholder type:**

- Peak body (specify body) .... **SCUBA Divers Federation of Victoria (SDFV)**  
 Stakeholder Group (specify group) ..... recreational Scuba divers .....  
 Individual stakeholder

Please return all pages of this response booklet by 5pm on Friday 25 July 2008.  
Submissions received after this time may not be considered.

Print and lodge your submission by mail to:  
Consultative Arrangements Review Responses  
Fisheries Victoria  
GPO Box 4440 Melbourne  
Victoria 3001 or by  
fax to:  
03 9658 4203

Lodge your submission electronically using  
the 'submit by email' button at the top of this  
form:

**Comments on the issues identified in the paper:**

To assist stakeholders to provide comment, a number of questions were asked in the Proposed Framework Options Paper.

**A: Do you support the establishment of the Fisheries Management Advisory Body through administrative mechanisms?** [Refer to section 6.1]

Yes

No

Please tell us why (or provide any additional comments on this issue):

1. We do not support establishment of the proposed FMAB, and *ipso facto* the question to us is moot
2. In principle, we do not support administrative mechanisms over legislative mechanisms because the former is subject to whim without recourse. Legislative mechanisms better meet community expectations in relation to certainty and safeguards.

**B: Do you support the proposed objective of the Fisheries Management Advisory Body?** [Refer to section 6.2]

Yes

No

Please tell us why (or provide any additional comments on this issue):

1. Do not support establishment of the proposed FMAB, and *ipso facto* the question to us is moot.
2. In isolation, the proposed objective is sound, since it is in the community interest to have reliable representative advice. The Discussion Paper does not canvass the possibility of tinkering with legislative framework to enable the existing FCC concept (particularly the FCC Fishery Committees) to deliver more 'representative expertise', as originally intended.

**C: Are there any other Fisheries Management Advisory Body functions that are needed to allow the Fisheries Management Advisory Body to achieve the stated objective?** [Refer to section 6.3]

Yes

No

Please tell us why (or provide any additional comments on this issue):

1. We do not support establishment of the proposed FMAB, and *ipso facto* the question to us is moot.
2. In isolation, accepting the proposed stated objective, the functions described for the proposed FMAB would be adequate provided they were accommodated within legislated rather than administrative mechanisms.

**D: Are there other attributes that should be considered in the appointment of the Fisheries Management Advisory Body Chair?** *Refer to section 6.4.*

- Yes  
 No

Please tell us why (or provide any additional comments on this issue):

1. We do not support establishment of the proposed FMAB, and *ipso facto* the question to us is moot.
2. In isolation, the attributes listed for the appointment to the Chair of the Proposed FMAB should be appended with the requirement that the appointee should have had no previous relationship with DPI or FV, and is fiercely independent. Further, the appointment process needs to be and needs to be seen to be visibly arms-length from FV (and DPI).

**E: Are there other matters that should be the responsibility of the Fisheries Management Advisory Body Chair?** *Refer to section 6.4.*

- Yes  
 No

Please tell us why (or provide any additional comments on this issue):

1. We do not support establishment of the proposed FMAB, and *ipso facto* the question to us is moot.
2. In isolation, the responsibilities listed for the Chair of the Proposed FMAB appear comprehensive.

**F: Do you support the proposed recognition and nomination process for the Fisheries Management Advisory Body membership?** *Refer to section 6.4.*

- Yes  
 No

Please tell us why (or provide any additional comments on this issue):

1. We do not support establishment of the proposed FMAB, and *ipso facto* the question is moot.
2. In isolation, the described process appears particularly ambitious, and thus of questionable likelihood, since it relies on a degree of maturity in the various stakeholder segments and sectors, which by the simple underlying logic of the 'need' for new consultative arrangements, is currently absent.

**G: Are there other attributes that should be considered in the appointment of Fisheries Management Advisory Body members?** *Refer to section 6.4.*

- Yes  
 No

Please tell us why (or provide any additional comments on this issue):

We do not support establishment of the proposed FMAB, and *ipso facto* the question is moot.

**H: Would the proposed process for the provision of representative advice enable the Fisheries Management Advisory Body members to effectively represent their sectors?** *Refer to section 6.7.*

- Yes  
 No

Please tell us why (or provide any additional comments on this issue):

The Discussion Paper does not canvass how current failure to represent arises due to individual effectiveness, so it is not possible to discern the logic as to why the proposed process would enable FMAB members to more effectively represent 'their' sector. The proposed FMAB may enable better 'behaviours' of engagement, but it cannot promise effectiveness.

**I: Would the proposed process for the provision of representative advice address the concerns of specific interest groups within sectors?** *Refer to section 6.7.*

- Yes  
 No

Please tell us why (or provide any additional comments on this issue):

Simply, we are a specific interest group with concerns and the proposed process does not address them.

**J: Would it be appropriate for the Fisheries Management Advisory Body to conduct an annual review of itself?** *Refer to section 6.8.*

- Yes  
 No

Please tell us why (or provide any additional comments on this issue):

1. We do not support establishment of the proposed FMAB, and *ipso facto* the question is moot.
2. More generally, self-review for the purpose of the performance assessment is not seen as objective or desirable. Surely, performance evaluation should be conducted by the community served by the proposed FMAB (as it is with any other client/service provider relationship).

**K: Would publishing the results of the annual Fisheries Management Advisory Body review on a public website provide adequate transparency?**

*Refer to section 6.8.*

- Yes  
 No

Please tell us why (or provide any additional comments on this issue):

In general, publishing results does not make processes and procedures transparent. Nevertheless, the results of any review or performance assessment need to be made public, otherwise why do it in the first place?

**L: Do you support the proposed approach to funding the Fisheries Management Advisory Body, including its members?**

*Refer to section 6.10.*

- Yes  
 No

Please tell us why (or provide any additional comments on this issue):

1. We do not support establishment of the proposed FMAB, so proposed approach to funding is also not supported.
2. Member funding (remuneration) should be secured (prescribed) by legislation.

**M: Do you support the proposed objective of the direct consultative framework (Option B)?**

*Refer to section 7.2.*

- Yes  
 No

Please tell us why (or provide any additional comments on this issue):

1. We do not support the direct consultative framework model, and *ifso facto*, the question to us is moot.
2. In isolation, the proposed objective, if achievable, is supportable on the basis that it delivers the necessary community interest requirement of advice derived from a broad ranged of representative inputs.

**N: Would publishing the results of the annual performance review of the direct consultative framework on a public website provide adequate transparency?**

*Refer to section 7.5.*

- Yes  
 No

Please tell us why (or provide any additional comments on this issue):

Our Part 2 response to Question K applies equally here. That said, Option B, if implemented would need to undergo transparent performance assessment, and the results available to the public.

**O. Do you agree that under the direct consultation model proposed in Option B, representative bodies should be funded by voluntary contributions from members in a manner similar to arrangements that occur for agricultural industries?** *Refer to section 7.8*

Yes

No

Please tell us why (or provide any additional comments on this issue):

The SDFV has always self-funded participation and involvement as a representative body in fisheries consultation and engagement processes, so the proposal to do so under Option B is not a new issue for us, and is not a threat either. We acknowledge that other representative groups will not have the same position. More generally, we hold that there should be a much more rigorous and principled consideration of the funding issue as it might apply to Option B than presented in the Discussion Paper.

Additional final comment:

There seems to be no distinction offered between stakeholders who are commercially involved and those that are recreationally involved.

Funding for peak bodies with commercial interests is easier to obtain from and show how it relates and benefits its members than for peak bodies representing people's recreational hobbies. The simplistic example given doesn't even approach this issue.

**P: Based on the information provided about the advisory body consultative framework (Option A) and the direct consultative framework (Option B), which proposed consultative framework would you prefer?** *Refer to section 7.9*

(Option A) - advisory body consultative framework

(Option B) - direct consultative framework

Please tell us why (or provide any additional comments on this issue):

SDFV does not support either Option A or Option B (as presented) on the basis that both require dismantling of the existing FCC, and particularly the FCC Fisheries Committees. The nexus between the stated need to improve representative mechanisms and the value of the wider independent role of the FCC structure is not established. On face value, the sacrifice of the FCC

structure is principally to fund new consultative arrangements which are not a part of the FCC role. To us, it seems particularly unproductive to abandon the time and investment in the existing FCC structure to fund a substantially different and unrelated ‘communications’ model (with all the attendant teething problems) without first attempting some basic continuous improvement strategies within the existing model.

In the case of being ‘forced’ as a stakeholder to nominate a choice between Option A or Option B, (because perhaps it is not a consultation process but rather a voting mechanism), the SDFV would chose Option B. We represent recreational fishers who fish for priority species in competition with commercial sector. We understand progressive concepts such as common property allocation, rights and responsibilities, user-pays, and return to community. We want to participate in progressive fisheries management practices towards sustainability. We have not been well served by representation through the recreational angler perspective. Thus, for us, Option B looms better, since Option A for us is really more of the same.

That said, our real preference is for Option C, which would involve augmenting the existing model, so that it is not a case of “throwing the baby out with the bathwater”, and “re-inventing the wheel.”

**Q: Are there additional expected Fisheries Management Advisory Body behaviours that should be considered?** Refer to section 8.2.

Yes

No

Please tell us why (or provide any additional comments on this issue):

- 1 We do not support the establishment of the FMAB, and *ifso facto*, the question to us is moot.
2. The behaviours listed should be considered as ‘aspirational’.

**R: Are the proposed functions of working groups appropriate?** Refer to section 9.2.

Yes

No

Please tell us why (or provide any additional comments on this issue):

Working groups are already a feature of the system.

**S: Do you support the proposed process for sourcing expert advice?** Refer to section 10.5.

Yes

No

Please tell us why (or provide any additional comments on this issue):

The proposed means parallel existing processes which are available, so there is nothing new here.

**T: Does the proposed process for the Recreation Fishing Grants Program under Option A provide for effective representative advice on how recreational fishing licence revenue is spent?** *Refer to section 11.3.*

Yes

No

Please tell us why (or provide any **additional comments** on this issue):

Recreation Fishing Grants Program should not be the business of the FMAB.

**U: Should a specialised recreational fishing working group be formed to develop recommendations on eligibility and assessment criteria to assess Recreation Fishing Grants Program funding proposals?** *Refer to section 11.3.1.*

Yes

No

If no, please provide detail on an alternative approach that should be considered (or provide any additional comments on this issue):

The concept of having targeted and responsible assessment is fine, but the matter of Recreation Fishing Grants Program should not be the business of the FMAB.

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**V: Does the proposed process for the Recreation Fishing Grants Program under Option B provide for effective representative advice on how recreational fishing licence revenue is spent?** *Refer to section 11.4.*

Yes

No

If no, please provide detail on an alternative approach that should be considered (or provide any additional comments on this issue):



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**W: Would the proposed Recreation Fishing Grants Program monitoring and performance arrangements provide sufficient transparency?** *Refer to section 11.9.*

Yes

No

Please tell us why (or provide any additional comments on this issue):

Only face value given the description of operation in the Discussion paper.

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**ADDITIONAL COMMENTS ON THE PAPER:**

Please add any additional comments you would like to make on the Proposed Framework Paper here (if you need more space, please just add additional pages):

The Discussion Paper was prepared in response to a direction to review existing consultative arrangements for Victorian fisheries stakeholders. The Discussion Paper doesn't actually provide much information in relation to the outcome of the 'review'. It is thus a hard leap of faith to accept that the 'review' identified the FCC structure as the impediment to improved consultative arrangements with stakeholders. By common knowledge, the peak-body organisational and functionality issues in both sectors are major contributors to consultative arrangement deficiencies, not the FCC structure. If anything, the perception is that the independent nature and operation of the FCC structure is continually constrained by self-interest intervention by DPI. It is therefore a bit rich for DPI (FV) to propose a 'better' system without providing a means for the community to know what is being 'fixed'. It is also a bit rich for DPOI to propose to the fund the 'better' idea by removal of the existing FCC structure without providing any indication as to what would be lost by doing so.

There is wide-scale community (*i.e.* fishing fraternity) resignation that Option A is unstoppable and, although there is an expectation that DPI will concede to some minor tinkering. It would a welcomed show of good faith in relation to consultative ‘engagement’ by DPI if this was truly a two-way consultation process and that DPI begin to work with the fraternity to achieve the improvements everyone wants.