

Submission by John Clunies-Ross

The Information provided here is pertinent only to the Cocos Keeling Islands.  
I have fished these waters all my life. I have had commercial aquarium fishing licence for past 20 odd years and aquaculture licence for approx. 15 years.  
WA fisheries have been contracted to provide a service delivery to the Commonwealth in this territory.

How should the value of recreational fishing and Indigenous customary fishing be measured and so better inform access allocation decisions?

Indigenous/customary/community requirements need to be treated with respect and empathy. Many community's identities are bound up in the access to harvest of marine resources.

Is there a reasonable balance between the interests of different users in the current allocations of access to marine fisheries?

WA fisheries are intent on putting a round peg into a square hole. More intent in getting the community, ecology and administration fit into their existing management model. To date there has been no hint that they can recognise the difference between the community fishing effort and recreational or commercial fishery.

Is there room to improve the process for determining the allocation of such rights?

Yes.

Relative to other costs (such as fuel and labour), how significant are the costs of complying with fisheries regulation?

The cost in reportage is low. The major cost to me has been loss of trade due to slow administrative response. Loss of breeding ability due to application of an exemption system to wold brood harvest (rather than allowing it within the actual licence) and the slow processing of the exemption (4 months in the last application). Loss of trade in the last five years is in the order of two and a half years trading about \$300-450,000.00.

Is there sufficient awareness and understanding on the part of fisheries regulators and the broader community of Indigenous fishing rights?

Not in Cocos Islands.

Do current fisheries arrangements adequately recognise Indigenous fishing rights?

Not in Cocos Islands.

Should there be any limits on the fishing methods or gear that can be used in the exercise of customary fishing rights?

The local community is very knowledgeable and would be the best placed to identify what constitutes community fishing and the limits to place on it. A local body should be authorised to identify/permit community fishing efforts.

How might the scope for economic and community gain from fishing ventures by Indigenous communities best be facilitated?

Many people appreciate taking part in the day to day life of different communities/cultures. Some are willing to pay for such an experience. Again it should be up to the local community to recognise this as a cultural exchange rather than a commercial or recreational fishing venture.

What are the barriers that need to be overcome?

The rigid and blinkered attitude of WA fisheries that seek make the fishery to suit their template rather than create a management template for the fishery.

Is there adequate consultation and engagement with Indigenous people in relation to the management of fisheries? Do current fisheries management arrangements provide incentives for Indigenous communities to be involved in fisheries management?

If not, how could this be improved?

Recognition of indigenous or community fishing requires a big change in the thinking process. An open and generous devolution of authority to the people is the only real way to address this issue.

Are the underlying objectives of fisheries management regulation clear and widely understood?

No.

What should be the main objectives of fisheries management and regulation? If social objectives should be included as objectives of fisheries laws, what priority should they be afforded relative to the other objectives of fisheries regulation?

WA fisheries have tried to apply universal regulations regardless of the fishery, community, ecology, biology, vessel, skills, geography, isolation and resources. This cannot be regarded as best management practice. In some situation the communities would be the highest priority, in other situations there will clearly be other priorities. Good management would be to recognise when to apply what priority.

Is the process that fisheries are strategically assessed separately under the EPBC Act efficient and effective?

If not, how could it be improved - for example, is there merit in and scope for AFMA and/or state/territory fisheries managers to be delegated assessment and approval functions in relation to Part 10 of the EPBC Act, with the department of the Environment's role then becoming one of monitoring compliance with requirements?

Yes

Are assessments made under the EPBC with respect to export of produce and interactions with listed species efficient?

No. A six month permit for CITES whilst understandable for low volume animals (such as wombats or parrots) it is not suited to the commercial aquaculture of high volume bivalves.

If not, how could they be improved?

A review of the permit system to allow the lower risk CITES animals to be traded on a yearly or longer basis.

Are existing regulatory arrangements well-targeted and efficient means for managing aquaculture operations and addressing potential environmental impacts?

No

Have regulatory arrangements inhibited the productivity and competitiveness of aquaculture in Australia?

Yes