



**Australian Government**  
**Department of Agriculture**  
**and Water Resources**

Ref: MS16-001095

Melinda Cilento  
Commissioner  
Productivity Commission  
Level 12, 15 Moore Street  
CANBERRA ACT 2600

Dear Commissioner

**Department of Agriculture and Water Resources submission to the Inquiry into the Regulation of Australian Marine Fisheries and Aquaculture**

The Department of Agriculture and Water Resources welcomes the opportunity to provide a submission to the Inquiry into the Regulation of Australian Marine Fisheries and Aquaculture.

The attached submission summarises the status of the Australian fisheries and aquaculture sectors, including consideration of recreational and Indigenous fishing interests, and discusses national issues for which the Australian Government has a role.

In particular, the submission presents some of the challenges around fisheries resource sharing, including the high costs associated with obtaining adequate data, and the complexities in comparing the economic and social contributions of the recreational fishing sector with the commercial sector. The submission also discusses the complexities associated with offshore constitutional settlement (OCS) arrangements. While complex, these arrangements may be a pragmatic solution to the fact there are eight separate regulators for Australia's wild capture fisheries. There has been significant work done on the principles and approaches for OCS reform. However, in resolving the various issues associated with straddling stocks and geographically overlapping fisheries, there seems no option other than to work through each issue individually. Harmonising regulatory frameworks could reduce some of the problems associate with multiple jurisdictional management and work continues in this area.

The department's submission also outlines the Australian Government's role in the aquaculture sector, which largely relates to promotion of research and innovation, biosecurity risk management and the regulation of agricultural and veterinary chemicals. The Australian Government will be releasing a National Aquaculture Strategy in the coming months that will identify a range of actions for governments and industry to undertake to encourage the growth and competitiveness of the Australian aquaculture industry.

The department has also commented on some of the issues raised in the Productivity Commission's Issues paper, such as the role of co-management; environmental regulation, including the precautionary principal; and climate change. The department notes there have been substantial reviews into the *Environment Protection and Biodiversity Conservation Act 1999* and considers that many of these review findings remain relevant.

The Australian Bureau of Agricultural and Resource Economics and Sciences has also provided input to the department's submission at Attachment A. This includes key data on the Australian fishing industry and concepts around the regulation of fisheries; management approaches and costs; and the use and operation of individual transferable quotas.

The regulatory environment of Australia's fisheries industries is undoubtedly complex. Some regulatory complexity is unavoidable, given the multifaceted nature of the sector, which makes simplifying fisheries regulation a challenging task. The department trusts this submission is useful for the Productivity Commission in undertaking the Inquiry and would welcome an opportunity to discuss these matters further. If you require further information, please contact Gordon Neil, Assistant Secretary Fisheries Branch

Yours sincerely

Ian Thompson  
First Assistant Secretary  
Sustainable Agriculture, Fisheries and Forestry  
28 April 2016