



29th November 2016

Ms. Melinda Cilento
Commissioner
Marine Fisheries and Aquaculture
Productivity Commission
GPO Box 1428
Canberra City ACT 2601

Dear Ms. Cilento

Thank you for the opportunity to submit comments to the Productivity Commission's August 2016 Draft Report into the Regulation of Marine Fisheries and Aquaculture.

WWF Australia and TRAFFIC congratulate the Commission for conducting such a widespread review of the concerns facing the management of Australia's fisheries and aquaculture sector within the short time allocated.

In particular, we are pleased to note the level of significance that is provided in the draft report to the management of the Australia's recreational fisheries given their cumulative impacts on aquatic resources, and financial and social contributions to local economies. This recognition of cumulative impacts from large numbers of anglers is critical in the management of high value species like the southern bluefin tuna (SBT), and also in the management of marine protected areas where impacts on benthic and pelagic species can reduce the effectiveness of biodiversity conservation from the Commonwealth marine bioregional planning exercise and detract from Australia's commitment to the United Nations' Convention on Biological Diversity. We suggest that the recreational fishing concerns identified by the Commission are discussed urgently with those in the Australian Government responsible for preparing draft management plans for several marine bioregions to ensure that they are appropriately considered in the development of management plans.

With increasing fishing gear technologies, ongoing cumulative impacts of fishing, and greater environmental degradation from a range of sources, the need for a representative system of marine protected areas becomes more evident with each passing year. While outside of this review's terms of reference, a key outcome needs to be the realization that representative system of areas closed to fishing under either fisheries or environmental conservation legislation is a must for the ongoing sustainability of Australia's fisheries and the unique aquatic biodiversity they rely on.

We are also concerned that opportunities to increase the productivity of Australia's wild caught and aquaculture producers, through the expansion of mandatory Country of Origin Labelling (CoOL) and adoption of the Australian Fish Names Standards (AFNS), have not been recommended. Most industry groups strongly support CoOL and AFNS as they provide opportunities for increased financial returns from current harvest without placing greater strains on ecologically limited fish stocks. They are also supported by many conservation groups because of the increased ability to track seafood from the ocean to the plate which provides a greater market based disincentive for Illegal, Unregulated and Unreported (IUU) fishing activities around the globe. By not recommending CoOL and the use of AFNS, we believe the

Commission has not given particular regard to “the impediments to increasing productivity and market competitiveness of the Australian fishing and aquaculture industries”, with particular reference to Scope item 1 “The extent to which enhanced and improved use of cross jurisdiction and multijurisdictional regulatory regimes, information and service sharing can improve the economic efficiency and the ecologically sustainable use and management of fisheries resources”.

We strongly support the Commission’s consideration “that fishery management authorities should not be accredited with approval functions with the EPBC Act”. Maintaining the Commonwealth environment department’s independent assessment role will help provide the community with greater confidence of the broader sustainability of Australia’s fishing activities. Since the EPBC Wildlife Trade Operation (WTO) process has been in place since 2000, we believe that all Australian fisheries have been given sufficient time to transition to best practice fisheries arrangements, and as such, the EPBC process could be streamlined by introducing mandatory standardized conditions for each fishing type. This would increase consistency across the states and Territory fisheries and provide all operators with standard operating conditions not currently reflected in the WTO permit process where conditions for some fisheries differ markedly from others.

Further details on the above items and in regards to the Commission’s draft recommendations, draft findings are information requests are provided Attachment 1 which should be considered in conjunction with the submission provided at the commencement of this review process (Attachment 2).

Should you require further input or clarification in relation to this submission please feel free to contact Jo-anne McCrea, Australian Fisheries and Seafood Manager, WWF Australia.

Yours sincerely

Jo-anne McCrea
WWF-Australia
Australian Fisheries and Seafood Manager Glenn Sant
TRAFFIC
Fisheries Trade Leader

Attachment 1. WWF and TRAFFIC response to Productivity Commission Review of Fisheries and Aquaculture.

Chapter 2: Access to Fisheries Resources

DRAFT RECOMMENDATION 2.1

WWF and TRAFFIC support this recommendation. HSP's need to be developed in conjunction with robust bycatch strategic policies and provide support to the implementation of species specific recovery plans (see later sections).

DRAFT RECOMMENDATION 2.2

WWF and TRAFFIC support this recommendation on the basis that the first priority in considering any allocation is to the environment to ensure the maintenance or recovery of stocks to a predefined measure of Maximum Economic Yield (MEY) or a higher fixed virgin biomass estimate for fisheries operating within high conservation status areas like World Heritage Areas and RAMSAR wetlands. Furthermore, in some instances where fishing gears impact on the survival of populations of protected species, there may need to be a cessation of the fishing method to allow threatened or endangered populations to rebuild with reduced fishing related mortality risks.

In determining shares between user groups, consideration must also be provided to non-extractive use and non-use values for current and future Australians. Once a share for extractive use has been determined, we suggest for all relevant fisheries that the first share of the fisheries resource should be allocated to traditional fishing opportunities to maintain cultural and spiritual ties with the marine environment. In regards to the allocation between recreational and commercial sectors, we believe the next step is to identify the current relative share of both sectors. The final step is then to determine if there is any broader community benefit that will be achieved by changing the status quo of this arrangement, and if there is, who will pay for the reallocation of access entitlements.

DRAFT FINDING 2.1

WWF and TRAFFIC agree that additional monitoring of all forms of extractive activities is required to establish equitable catch shares. Furthermore, the information must be expanded to determine how to best achieve ongoing maximum community benefit from the resource and this requires more than just fishing related data.

Moreover, in the process of managing fish stocks, all forms of anthropogenic impacts on fish stocks must be fully recognised in the resource allocation process. This includes not only indigenous fishing, but also fishing mortality associated with other activities like bather protection programs, research and direct and indirect impacts on stocks from development or changes to water quality and water quantity.

DRAFT FINDING 2.2

WWF and TRAFFIC support this draft finding as it provides a market based mechanism for industry to restructure and adjust to changing demand for catch share re-distributions without additional community funding requirements. It further strengthens the need to adopt output controls in the form of individual transferable quotas (ITQ's) as the preferred management measure as catch quota is more easily transferrable across fishing sectors than an effort based management measure. For example, quota from a commercial fisher could be leased or sold to a charter operators who could use it to increase their days fished or provide anglers with an increased amount of catch.

Chapter 3: Commercial fishing

DRAFT FINDING 3.1

WWF and TRAFFIC support the use of output controls, in the form of ITQs, for the management of commercial fisheries on the proviso that input controls established to provide environmental outcomes are maintained (gears, closed seasons, closed waters, etc). Use of such input controls do not compromise the effectiveness of quota mechanisms, rather it is the management by effort that is considered problematic. As indicated in the Draft Report, the use of ITQ's is a more effective mechanism to directly manage the take of target species. Fisheries based on effort-based input controls require continual changes to account for increases in fishing efficiency that may occur unequally across the fleet. This means some fishers who have not changed their fishing efficiency will be disadvantaged by changes in effort unit values to accommodate fishers who have increased their fishing efficiency. In comparison, changes to ITQ unit values reflect the abundance of the target species, and as such all quota holders are treated equally when ITQ units are varied. The broader use of ITQ by the commercial sector also provides a currency of trade that can be directly utilised by the recreational and traditional fishers.

DRAFT RECOMMENDATION 3.1

WWF and TRAFFIC support the movement of State and Commonwealth fisheries to ITQ systems for most fisheries. ITE systems should be applied to those fisheries where the ITQ systems are impracticable after a feasibility assessment developed in consultation with all stakeholders and publically released for scrutiny.

DRAFT RECOMMENDATION 3.2

WWF and TRAFFIC support the regular review of all fishing regulations to ensure they remain relevant in the face of further information and improvements in science, technology and other factors. Such a review should be guided however by a consistent objective of sustainable fishing and ensure that maintenance of a healthy marine environment underpins all current and future regulation. Furthermore, we strongly support the use of regional quota arrangements to provide greater opportunities for the development of non-regulatory co-management arrangements by local stakeholders to quickly and efficiently resolve local issues without the need for regulatory reforms.

DRAFT RECOMMENDATION 3.3

WWF and TRAFFIC support using a landscape/seascape approach to the integrated management planning which includes an offset policy based around the principles of avoiding, mitigating and offsetting the remaining impacts to environmental and fisheries values.

Chapter 4: Recreational fishing

DRAFT RECOMMENDATION 4.1

WWF and TRAFFIC support the use of general recreational fishing licences for the benefits they provide including complementing a user pays approach to natural resource management and providing a license frame from which to complete regular surveys more efficiently. We also support the licensing of charter vessel operators and logbook reporting requirements similar to other commercial fisheries.

DRAFT RECOMMENDATION 4.2

As indicated throughout this Commission's draft report, the lack of recreational catch data for SBT is a major concern for the Commonwealth managed tuna fishery where catch shares were

allocated entirely to the commercial sector. WWF and TRAFFIC support the use of a tag system to monitor high value recreational species like SBT that are under a stock rebuilding management phase. These tags should form the basis for the data collection for these high value and rare event fisheries that are not effectively captured by traditional large scale surveys like the NRIFS. Given that the commercial management of SBT stocks is administered by the Commonwealth the allocation of tags should also be administered by the same agency as a component of the national SBT quota. The allocation of SBT mortalities during any fishing operations within Australia, including catch and release, should be accommodated within any existing National allocations to Australia and the costs of redistributing such ITQ's across different sectors should be applied through a user pays system.

DRAFT RECOMMENDATION 4.3

WWF and TRAFFIC support this initiative. Although this recommendation is targeted at recreational deepwater fisheries, this is also an issue relevant to deepwater commercial fisheries hence we suggest that the research should also be applied to the fate of fish removed from these deepwater fisheries by commercial fishing operations. Accounting for catch and discard mortality from both sectors should be built into the stock assessments and the allocation of ITQ's for these fisheries.

DRAFT RECOMMENDATION 4.4

WWF and TRAFFIC believe that the non-compliance of the recreational fishery must be tackled using a broad suite of instruments, including better angler education, increased visibility of compliance activities, stronger compliance laws, and greater community education (including the legal profession) of the impacts illegal fishing causes to Australia's unique aquatic resources. Without all of these actions, strengthening of the penalty regimes will have limited capacity to deter illegal fishing activities by the recreational or other sectors.

The same suite of compliance instruments should also be applied to the commercial fishing sector.

DRAFT RECOMMENDATION 4.5

WWF and TRAFFIC support the need for greater understanding of the impacts of recreational fishing on aquatic ecosystems. We do however question the ability for five yearly surveys to meet the monitoring requirements for state managed fisheries, particularly those that have already committed to conducting more regular surveys. Furthermore, we question the ability for the NRIFS technique to provide precise enough estimates of for the recreational SBT catch and associated recreational catch share, or to determine trends in the recreational harvest for other Commonwealth managed fish species.

WWF and TRAFFIC suggest that States and Territories should conduct surveys more regularly (every 2-3 years), preferably in concert, in order to maximize the benefits that can be achieved. This includes capturing interstate fishing activities and harvest estimates for shared stocks that can more easily be incorporated into joint stock assessments. A five year frequency would not provide the level of information required to adequately respond to stock variability.

Furthermore the advent of mobile and video technology provides significant opportunities for a regime shift in the way that recreational fishing effort and catch is monitored. We suggest that a coordinated effort should be made to determine the feasibility of a national system which allows digital ongoing monitoring of recreational fishing e.g. through mobile apps that allow effort and catch to be logged; and e-monitoring at boat ramps and popular shore based location to monitor participation.

Chapter 5: Indigenous customary fishing

DRAFT RECOMMENDATION 5.1

WWF and TRAFFIC support the recommendation so far as fisheries regimes must recognise customary fishing rights as customary fishing by Indigenous Australian's is already recognised in the Native Title Act which prescribes customary rights, not an entitlement, to Indigenous Australians.

We do not support infringing the tradability of the fishing rights afforded to Indigenous Australians or the use of resources in land or sea claims afforded under the Native Title Act. Decisions on how to use customary fishing rights are best determined by the individual Indigenous communities who may have significant cultural history in the trade of seafood products.

DRAFT RECOMMENDATION 5.2

WWF and TRAFFIC strongly support the concept that allocations to Indigenous communities should be afforded the priority share in not just fisheries where catch is limited; but rather they should be afforded this right for all fisheries which have a historical customary activity. Furthermore, it is up to the individual Indigenous communities to determine how these shares are used by the community. The community could decide the shares are best used as an environmental allocation to strengthen natural populations and associated cultural values. Or they could decide to temporarily allocate them to recreational or commercial fisheries to foster local economic development through resource rent or increased local business and job opportunities from the fishing activities.

WWF and TRAFFIC support that greater Indigenous community consultation should be used in the formulation of allocation plans and to determine if there is a need for changes in customary fishing practices to improve the sustainability prospects of local wildlife populations.

DRAFT RECOMMENDATION 5.3

WWF and TRAFFIC do not support this recommendation. If Traditional Owners intend to conduct a business including the sale of seafood product outside of their community, they should be conducting the business within the same framework that commercial and charter fishing businesses operate.

Chapter 6: Fisheries spanning jurisdictions

DRAFT RECOMMENDATION 6.1

WWF and TRAFFIC do not support this recommendation as it is written. We believe the first priority focus should be on the highest risk fisheries with potential to achieve benefits from aligning inconsistent management as secondary priority. The financial value of the fishery should not be the primary driving force behind management reforms.

DRAFT RECOMMENDATION 6.2

WWF and TRAFFIC support the allocation of a total allowable catch limit that includes a recreational fishing component. We believe, given the commercial sector is managed by the Commonwealth, that the recreational fishery for this species should also be managed by the Commonwealth given the level of tuna expertise within the agency. Furthermore, as the head of power for the management of the allocation process resides with the Commonwealth, it would make financial sense that this level of government manages the recreational harvest. This

approach is entirely consistent with Recommendation 6.1 as it will provide for enhanced efficiency in the management of a shared stock by providing a centralized management agency for tuna resources.

DRAFT RECOMMENDATION 6.3

WWF and TRAFFIC support the concept of centralizing these fisheries in principle. However, given the current fisheries reforms regime by the NSW government, definitive support for this process cannot be provided until the NSW reforms are finalized.

DRAFT RECOMMENDATION 6.4

WWF and TRAFFIC strongly support this recommendation and suggests that the State's should be required to implement this as a priority. The current Status of Key Australian Fish Stocks (SAFS) reporting methodology also needs to be reformed to take a more "precautionary" approach to reporting the state of the nation's fish stocks. The current "undefined" status for snapper does not reflect the "overfished" stock assessment results for Queensland. As per the development of HSP's, these should include a mandatory requirement for governments to act once recognised stock assessments identify stocks are below limit reference points. This would require the development of formal cross jurisdictional response plans to limit the potential for political or cross-jurisdictional interference in the implementation of management responses.

DRAFT RECOMMENDATION 6.5

WWF and TRAFFIC support the development of a formal policy outlining reform principles for cross-jurisdictional fisheries with an ongoing annual reporting requirement on the proviso that management is not diluted to the "lowest common denominator" or weakest fisheries management arrangements. This policy will need to be developed in consultation with all stakeholder groups from across the country to ensure that the policy adequately addresses, not only on fisheries biology, but rather incorporates social, economic and environmental considerations associated with the reform strategy's implementation.

DRAFT RECOMMENDATION 6.6

WWF and TRAFFIC support the regular review of cross jurisdiction fisheries MoU's to ensure they remain relevant.

We support the introduction of economically efficient management reforms. We do not however support reducing management costs to the point of not covering the costs of appropriate fisheries management activities.

We support the concept of limiting the number of agencies responsible for management over expanses of water wherever possible; however, this limit should only apply to the management of individual fish stocks. For example, the Queensland east coast otter trawl fishery currently operates in waters also access by the Commonwealth tuna fishery. Operationally, this allocation of responsibilities for the management of fish stocks has served Queensland fish stocks well and should be continued.

Chapter 7: Managing the environmental impact of fisheries

DRAFT RECOMMENDATION 7.1

WWF and TRAFFIC support the public release of the fisheries agencies' response to the EPBC "Guidelines for the Ecologically Sustainable Management of Fisheries Version 2" (the

Guidelines) as it will provide greater transparency of management arrangements to the community and seafood consumers.

Furthermore, the release of the Guidelines report will highlight the discrepancies in reporting quality and incompleteness that currently denigrates the EPBC reporting scheme. A clear outcome from the review process should be the standardisation of the EPBC conditions applied to fisheries around Australia to “level the playing field” for seafood producers. Furthermore, for fisheries that have continuously failed to achieve WTO conditions (like the ECIFFF), there must be support for the Minister to remove the export permit until the fishery has achieved the conditions.

DRAFT RECOMMENDATION 7.2

WWF and TRAFFIC strongly support the adoption of explicit mortality limits for fisheries with either a high risk of interaction with TEP species, or fisheries that have lower risks of interactions but higher consequences of these interactions. For example, the consequences of a single mortality of a dugong in the urban GBR region (population 400-600) is far greater than an interaction with Australian fur seals which have higher and recovering population base.

The establishment and monitoring of limits must be done in a publically transparent manner with high regard for the population status of the TEP species. Existing industry based reporting schemes like the Queensland SOCI logbook are not adequate because of the low reporting rates by industry.

DRAFT RECOMMENDATION 7.3

WWF and TRAFFIC support the public online release of summary information on interactions with protected species, however, this information must be reported by both observers (in near real time) and by the commercial fishers (using their standard reporting time frame). The current under reporting of interactions by the commercial fishing industry provides the community with reduced confidence in industry provided information and therefore reducing social licence for continued commercial access to publically owned resources. Furthermore, these estimates must be summarized annually as part of a formal population recovery strategy for the protected species developed in consultation with the relevant conservation departments. Where TEP populations are perceived to be in decline, management responses to prevent future interactions should be implemented as a matter of priority.

We strongly support the Commission’s consideration “that fishery management authorities should not be accredited with approval functions with the EPBC Act” because of the conflict of interest and associated reduced social licences this would deliver.

Contrary to the Developing the North Policy Paper, this draft report seems to undervalue the role that suitably audited third party certification schemes can play in the management of Australian wild caught and aquaculture products. The Developing the North Paper considered the role schemes like ASC and MSC can have in “extending” the period between WTO assessments – not replacing them as suggested in this draft report. This extension process provides operators with greater certainty and also reduces costs to government by reducing reporting frequency and is supported by WWF and TRAFFIC for these reasons. The draft report also downplays the value certification schemes have for supermarkets to simply “to be seen by the community as socially and environmentally mindful”, and not as a tool to reduce supply risk.

DRAFT RECOMMENDATION 7.4

WWF and TRAFFIC are uncertain why there appears to be concerns about the List of Marine Species established in Part 13, Division 4 of EPBC. The list of Marine Species provides the same level of protection for native marine birds, mammals, and reptiles that are provided to

similar groups in Australian terrestrial environments. Listed species outside of these groups include the Family Syngnathidae (seahorses, sea-dragons and pipefish) and Family Solenostomidae (ghost pipefish), groups for which there is considerable concern for their sustainability because of trade for medicinal purposes. The lack of other marine mammals like dolphins and whales reflects these species were already included in legislation as threatened species at the time the EPBC Act was drafted.

Chapter 8: Aquaculture

DRAFT FINDING 8.1

WWF and TRAFFIC support the expanded use of spatial planning initiatives to provide greater certainty and improved regulatory processes for the aquaculture industry. The development of the Great Sandy Marine Aquaculture Plan, and associated accreditation by all levels of Government, provides an example of how integrated spatial planning can be conducted to reduce regulatory burden for proponents and to the various levels of government. However optimal spatial planning should involve multi-sectoral planning which would develop spatial plans which recognize allocation to the variety of sectors and which as a foundation also provide protected areas for representative and unique marine ecosystems. Therefore we recommend that all Australian jurisdictions should pursue broadscale marine planning which include, amongst the range of users, the identification of suitable sites for aquaculture.

We query the Commission's consideration "that the use of offsets should not result in aquaculture operators rectifying the adverse impacts of the land management practices of other land holders." Under Reef 2050 and Queensland Taskforce recommendations new development should ensure at least a no net increase in impacts including for water quality. Aquaculture could go beyond this through trading/offset and show that it is having a net benefit for the Reef.

We support a regional water quality trading scheme across all users, including aquaculture growers, as a mechanism to reach the Great Barrier Reef water quality targets committed to by both State and Commonwealth governments. The use of water quality offset improvements should occur within a broader market to ensure the most cost effective improvements can be available to any future developer. As part of this broader water quality trading system, aquaculture ventures are well placed to gain extra incomes through removing waste from the water using advanced algal treatment systems, and selling these offset credits to industry.

DRAFT FINDING 8.2

WWF and TRAFFIC support the finding and note the retention of regulations to reduce environmental risks associated with aquaculture developments. This is particularly relevant when these developments occur in or adjacent to high conservation value areas where there is a community expectation that controls will be sufficient to restrict environmental damage. By doing this provides Australian product with considerable opportunities for market differentiation.

DRAFT FINDING 8.3

WWF and TRAFFIC agree that regulatory authorities should not be tasked with industry development objectives. Such objectives should be held by separate authorities.

Furthermore, the use of third party certification like ASC provides industry with the capacity to grow community license for their operations. The independent and externally audited process used in ASC also provides the community with several opportunities to raise concerns during the assessment process. The wide ranging and independent nature of the ASC assessment dilutes the concerns of having a single regulatory and development agency.

Chapter 9: Downstream processes

DRAFT RECOMMENDATION 9.1

WWF and TRAFFIC do not support this recommendation. We believe there should be mandatory CoOL to provide greater opportunities for Australian seafood producers to promote greater opportunities for reduced IUU fishing through a transparent chain of custody reporting from sea to plate. As per the ToR for this review, CoOL will provide Australian producers with greater “productivity and market competitiveness”. Moreover, it will also highlight to Australian consumers at all retail levels where the fish they purchase originated. This will enable consumers with greater confidence they are supporting local producers.

DRAFT RECOMMENDATION 9.2

WWF and TRAFFIC do not support the voluntary nature of this recommendation. Instead, we strongly advocate for the mandatory use of the AFN standard as this will provide consumers with greater confidence in the seafood purchases. This may eventuate in an increase of local seafood consumption as consumers become more confident in their seafood purchases because of greater levels of consistency in the products they consume.

DRAFT RECOMMENDATION 9.3

WWF and TRAFFIC support the calls for license fees to more representatively reflect the actual regulatory costs of regulating facilities.

Chapter 10: Other areas for improvement

DRAFT RECOMMENDATION 10.1

WWF and TRAFFIC support the development of decisions rules by all fisheries agencies that remove Ministerial or Government involvement in the administration of operational decision making processes. As indicated by the Commission, this will expedite decision making processes and also provide industry with greater confidence in the outcomes of decisions that should be based on clearly pre-arranged management control responses developed in consultation with a broad range of stakeholders.

DRAFT RECOMMENDATION 10.2

WWF and TRAFFIC support the Commission’s recommendation for governance arrangements of advisory groups.

DRAFT RECOMMENDATION 10.3

WWF and TRAFFIC support the greater use of non-regulatory co-management arrangements as appropriate mechanisms to improve the performance of Australia’s fisheries operations. These arrangements should supplement, rather than replace the fundamental management arrangements required for responsive fisheries management provided by appropriately developed harvest strategies.

However co-management should only be considered a viable option where industry is sufficiently united and organized and show the capacity to robustly deliver its obligations in a co-management arrangement.

DRAFT RECOMMENDATION 10.4

WWF and TRAFFIC support efforts to enhance capabilities to report illegal fishing activities, and notes the sales of seafood product should be supported by some form of receipt system to deter the purchase of illegally sourced seafood products.

We suggest that this issue relates directly to that of traceability. In order to adequately address both the issue of illegal fishing, and transparency to consumers, we recommend that minimum standards for traceability be legislated for both products produced in Australia and for seafood products imported and sold in Australia.

DRAFT RECOMMENDATION 10.5

WWF and TRAFFIC support the implementation of best practice cost recovery arrangements for all Australian fisheries accessed by commercial fishers and recreational anglers. Clearly not all states are currently applying best practice cost recovery models, with some, like Queensland either publically subsidizing the costs of fisheries management or not conducting the minimum acceptable level fisheries management (like fisheries observer programs, vessel tracking and regular stock assessments for target species). A national standard is required to level the playing field for commercial fishers when it comes to license fees, and to standardise the management arrangements for all fishery types.

Requests for further information

INFORMATION REQUEST 2.1

WWF and TRAFFIC strongly support the use of Maximum Economic Yield (MEY) as a target reference point for fisheries management as it provides greater profitability for commercial fisheries and greater resilience to natural populations and associated system functions. For jointly accessed fisheries, there may need to be a greater consideration of the use of some level of virgin biomass target as estimating MEY for multiple access fisheries can be problematic given the issues associated with estimated maximum benefits across multiple stakeholder groups.

INFORMATION REQUEST 5.2

WWF and TRAFFIC do not support cost recovery for customary fishers, unless they are conducting commercial activities in which case, the same cost recovery approach applied to other participants in the fishery should be applied. Cost recovery for traditional fishing is likely to be inconsistent with other pieces of legislation like the Native Title Act (1993) and does not appear to be consistent with the ToR Scope Item 6 “The extent to which fisheries management regimes support greater participation of Indigenous Australians, provide incentives to Indigenous communities to manage their fisheries, and incorporate their traditional management practices in the fishing industry” that appeared to seek opportunities for greater Indigenous community opportunities not costs.

INFORMATION REQUEST 7.1

There are many examples of where State based fisheries without export component are not subject to adequate environmental management. Using Queensland’s snapper stocks as an example, there has been no action to improve the status of this fishery by the state. By having an overarching EPBC assessment, there may have been sufficient pressure to drive the reforms that were required for this fishery to reduce the take by the recreational fishing sector. Pearl perch is another species accessed by the rocky reef fishery that has been identified as “transitional depleting” in the most recent SAFS assessment. Both these species are likely to be shared stocks with NSW, which further complicates the implementation of a management

response. An overarching assessment like the EPBC may have influenced the state to implement reforms on a more responsive timeframe.

INFORMATION REQUEST 7.2

The wording of this information request is not acceptable. WWF and TRAFFIC suggest calling species such as Australian fur seals (AFS) a pest species would not be accepted by the vast majority of the Australian population. The real issue is around nuisance interactions between protected species and fishing gears. Clearly the first step in addressing this issue is to identify the true extent of the interactions and to determine why/if there has been a change in the interactions as part of a holistic management solution developed using a broad stakeholder public process.

Clearly for species that have been previously hunted extensively, there may be issues with their recovery and the level to which fish stocks are currently fished. While fishing a target stock to MSY may have been appropriate with low AFS numbers, with increasing seal numbers, there may be a need to allocate a greater proportion of the fish stock to natural systems so that natural functions like predation from rebuilding predator numbers can occur. Furthermore, a review of current stock assessments and their estimated total mortality estimates is required to ensure they have appropriately modelled likely AFS predation levels from the unhunted population into the total fish mortality estimates. Without these types of considerations in estimating total mortality, common fisheries parameters are likely to be inaccurate, particularly with increasing predator numbers as populations restore.

Yours sincerely

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