

AQUATIC RESOURCES MANAGEMENT AMENDMENT BILL 2020

Introduction and First Reading

Bill introduced, on motion by **Mr P.C. Tinley (Minister for Fisheries)**, and read a first time.

Explanatory memorandum presented by the minister.

Second Reading

MR P.C. TINLEY (Willagee — Minister for Fisheries) [12.44 pm]: I move —

That the bill be now read a second time.

The Aquatic Resources Management Amendment Bill 2020 will amend the Aquatic Resources Management Act 2016 or ARMA. The focus of ARMA is to ensure the ecologically sustainable development of Western Australia's living aquatic biological resources and ecosystems by protecting these resources from over-exploitation and the threats posed by diseases and harmful imported organisms, while encouraging the coordinated development of the industries and activities associated with their use.

A key feature of ARMA is a structured approach to the provision of secure fishing access rights for all sectors, within the context of sustainability. ARMA extends the transparency and focus of historic fisheries management by establishing an integrated cross-sectoral planning and management framework for aquatic biological resources, which sets up how a resource will be managed, the level of exploitation to be allowed and the level of the resource that must be maintained for sustainability purposes, sectoral allocations, the setting of total allowable catches and the access rights to the resource. Importantly, ARMA provides for the continuity of existing management arrangements and resource access rights for the state's commercial fishing industries until they are separately migrated into the new legislative framework. It is the need to provide for an orderly transition of fisheries into the new legislative framework that has resulted in this bill.

When ARMA comes into operation, it will replace the Fish Resources Management Act 1994 and the Pearling Act 1990 as the primary legislation for the management of Western Australia's fisheries and aquatic biological resources. The pearl oyster fishery is currently managed by the use of zones, and the government and key stakeholders all wish for this approach to management to be available under ARMA for this and future managed aquatic resources. At the time ARMA was drafted, it was understood that this capacity was available. As part of preparing for ARMA implementation, when examining options for zoning the pearl oyster resource, significant doubt was raised about the ability to provide for different types of shares. If ARMA does not provide sufficient flexibility to allow different types of resource shares in the strategy and planning documents for a managed aquatic resource, it would be impossible for multi-zone, multi-stock or multi-gear fisheries to be managed as an integrated resource. Instead, each subdivision—for example, zone of species or species group—would have required a separate aquatic resource use plan. This would not only have been legislatively and administratively inefficient for multi-zone resources; it would have also resulted in the proportion of the total allowable catch in each zone being fixed. This is not appropriate given that the relative abundance of the resource within each zone may not vary uniformly. The amendments in this bill are required to facilitate this type of resource management.

The bill makes two additional key amendments. First, the bill amends the meaning of an aquatic resource to allow the resource to also be defined by the type of gear or method used to take the resource. This will provide for the continuation of separate management arrangements in situations where multiple fishing activities occur on a single species or species group, but where the nature of these activities is too different for them to be dealt with effectively under a single aquatic resource management scheme. Second, the bill removes the requirement for the CEO to publish notice of a decision to grant, vary or transfer an aquaculture licence. Under ARMA, aquaculture licences will now include licences for pearl oyster aquaculture. There is no requirement under the Pearling Act 1990 for advertising such decisions. The imposition of a new obligation to advertise these decision was an unintended consequence of the ARMA. Finally, the bill makes a number of minor administrative amendments to ARMA.

I commend the bill to the house.

Debate adjourned, on motion by **Mr A. Krsticevic**.