

AQUATIC RESOURCES MANAGEMENT BILL 2015
AQUATIC RESOURCES LEGISLATION AMENDMENT BILL 2015

Second Reading — Cognate Debate

Resumed from an earlier stage of the sitting.

MS S.F. MCGURK (Fremantle) [2.50 pm]: Before question time I was saying that my understanding of the rock lobster industry in Western Australia, particularly that section of the industry that operates out of Fremantle, is that it is in rude health. At the end of April last year I was fortunate enough to attend some sessions of the ninth Trans-Tasman Rock Lobster Industry Congress, held in Fremantle. It was quite interesting and helped increase my knowledge of the industry. I was particularly pleased that it had state presentations by people involved in the industry and various presentations by people, as the name of the conference implies, from New Zealand. The “State of the Fisheries” presentation by the Western Australian representative, the president of the Western Australian Rock Lobster Fisheries Federation, James Paratore, was a very detailed analysis of the state of the Western Australian rock lobster fishery. He talked about the harvest strategy of the industry from 2014 to 2019 being around the sustainability objective that egg production will remain above its threshold value for the next five years, with a probability of greater than 75 per cent; that it has a harvest objective; and that the total allowable catch will result between the northern and southern zones.

When comparing the gross value product for Western Australia with that of other states, WA fares well. Last year—that is, 2014–15—it was around \$360 million, and that is across the whole country’s total value. I think that is based on a gross value production of \$2.1 billion. Those figures might be a little old, but Australia is certainly doing particularly well, especially when compared with New Zealand. The beach price trend figures since 1962 that were given by James Paratore in his presentation last year are extraordinary. Since 1962, coming up to 54 years, the price has gone from about \$1 a kilo—I think he is comparing across kilos in his graph—to about \$60 a kilo last year. It has gone up significantly. Although the catch trend in 1 000 tonnes since 1962 has declined, the trend in the value of the industry since 1962 is undoubtedly and inescapably on a northward trajectory. That is good to see. In fact, James compared the unit values of the rock lobster industry with median house prices since 1970, which showed a very favourable comparison. He also did an interesting comparison of the spot price of iron ore and rock lobster, which showed that the industry is faring very well.

In my dealings with the rock lobster industry, it is particularly heartening for me to see an increasingly sophisticated approach to the industry. There were changes in the allocation of the catch in, I think, 2012 and 2013 between the zones, and although people in Fremantle and around the sea zone were cautious about that allocation, they have fared well. They understand that it is partly to do with the current industry price and Chinese demand. However, they should feel particularly pleased with how the industry is going.

It is interesting that just last year the WA industry won an award as part of the Marine Stewardship Council accreditation. A media release in May 2015 announced that the Western Rock Lobster Council was a finalist in the United Nations Association of Australia World Environment Day awards, recognising 15 years of maintaining the Marine Stewardship Council’s standard for sustainable fishing. The press release states —

In 2000 the Western Australian Rock Lobster fishery took a pioneering step in the world of sustainability and became the first fishery in the world to achieve certification against the Marine Stewardship Council’s ... standard for sustainable fishing. 15 years on and the fishery remains certified, leading the way for over 370 other fisheries to join the program equating to 11% of global wild capture landings.

...

The fishery was recently recognised —

This is last year —

at the global Seafood Expo in Brussels to celebrate 15 years of MSC certification.

I know at times people working in the industry debate whether that certification is worth maintaining. It costs them and there is some frustration about whether it is worth them doing so, but this sort of recognition is important and I commend them for taking it on. The press release continues —

... over 376 fisheries are engaged in the MSC program ... fisheries already certified or in full assessment record annual catches of close to ten million metric tonnes of seafood. This represents over eleven per cent of the annual global harvest of wild capture fisheries ... Worldwide, more than 23,000 seafood products, which can be traced back to the certified sustainable fisheries, bear the blue MSC ecolabel.

Along the same lines, an active debate has been going on about whether there should be country-of-origin labelling for Australian restaurants and about the pros and cons of whether consumers when sitting in restaurants or in a cafe should know that what they are eating is actually caught in Australian waters. I think many consumers would like that to be the case and many Australian producers would also like to see that sort of certification at a restaurant or an outlet. One of the arguments against that labelling—I heard a piece on this recently on ABC radio—was that industry representatives said that they cannot always rely on the market to produce the demand that is needed at a hospitality venue at a restaurant or cafe level. There is just not the security of supply. At one stage, for instance, barramundi from Australian waters might be available, but the next week there may not be the reliability of supply. As we know, a very high percentage of our eating seafood in Australia, and even in Western Australia, comes from overseas. That is a point of some frustration.

I understand that the fish cafe in Fremantle, Clancy's Fish Pub, was one of the first hospitality venues in Perth to have Marine Stewardship Council or country-of-origin labelling on its fish, so its customers know that they are getting fish that is Australian. Clancy's markets itself proudly, quite rightly, with that as a point of difference. It is a very successful outlet that has fish pubs in a few other locations in Perth and Dunsborough as well.

It is good to see the rock lobster industry in Western Australia taking up issues and making sure that its industry will be with us for a while.

[Member's time extended.]

Ms S.F. McGURK: A good example of how that industry tackled issues that were confronting it and engaged with government in this instance and ended up coming to a resolution was how it dealt with whale entanglements. There has been quite a significant increase in the number of whale entanglements and that has received some publicity. As I understand it, changes have been made to quotas and the catch season. There was a longer catch season in some months and this coincided with an increased interaction with the whale migration. There is a difference in the whale migration patterns depending on the species of whale and when the whales are travelling south or north. The industry set up a task force, which I think included the WA Department of Fisheries and the West Coast Rock Lobster Managed Fishery, and it came up with mitigation measures to apply to the West Coast Rock Lobster Managed Fishery from 1 May last year, and they continue to be in place now. They include some coordinates that the fishing boats need to be aware of and also a way of managing the ropes, and depending on the fathoms they are working at, or the metres they are fishing in, the specifications vary. I have not seen any figures on whether they have been entanglement free since adopting those mitigation measures 12 months ago. However, the last time I checked with, as I mentioned before, John McMath, who heads the Western Rock Lobster Council, he said that he thought that that was working quite well.

I have some figures on the number of whale entanglements. They had gone up significantly, particularly around 2012 when there was quite a big spike in the number of whale interactions. That was likely to increase considering the change in season to quota base management of the fisheries and also the number of whales migrating along the Western Australian coast. To September 2012, there were 22 entanglements of humpback whales in fishing gear, with 13 of those being confirmed in western rock lobster fishing gear. It is good to see that the industry works with government, and I think they had some research assistance to positively deal with that particular challenge before them.

I echo a point that the member for Bassendean made about some elements of the act, particularly about the long-term secure commercial access rights that are embedded in the legislation. Elements of the industry that I have had dealings with are in favour of the changes incorporated into the act, but I would not say that they had the robust understanding that I think would be good for them to have. Some of them said that it looked pretty good and they would just have to see how it goes. That would sum up the sentiment of people in the industry whom I interact with and who are based in Fremantle. That concerns me a little. When the Minister for Fisheries has an opportunity to speak on these bills, I ask him to address what measures are being taken to increase the understanding of the industry of how this might impact and, if it does impact negatively, what feedback mechanisms will exist for amendments or changes. On the whole, people from the rock lobster industry in particular are saying that these changes will give them added security, and that is welcome.

I will address one final matter on sharks and the interaction between humans and sharks along our coast. This matter has been addressed a number of times in this house. The opposition was pleased to see the Premier withdraw the shark culling program that the Western Australian government had embarked upon—the drum lines and hooking program. I understand that the government felt that it needed to respond to a public fear of shark attacks. I have not seen the statistics in the length of time that they have been available to see what the actual increase in the number of shark attacks was, but I understand that the government felt that it needed to act. However, even the most casual observer could see the futility of embarking on a culling program. Notwithstanding that, there is still some support for it. I saw recently an interview by a journalist from *The Australian* who covers some of these issues. I do not think he has any qualifications in the area, but he said that he supported culling and he thought that there was some public support for it and that it had some merit.

I want to draw to members' attention a couple of points made in an article in August last year. The article was reprinted on The Conversation online. These comments were made by Jane Williamson who received funding for her work from the Australian Research Council. She is the deputy chair of the New South Wales Fisheries Scientific Committee. She makes a couple of points, but summarises —

... there is no scientific support for the concept that culling sharks in a particular area will lead to a decrease in shark attacks and increase ocean safety.

She makes the point that in Western Australia the tactic of baited drum lines —

... did not improve the safety of swimmers, surfers or divers—one of the reasons why scientists actively opposed the cull. A similar long-standing policy in Queensland has shown little evidence of effectiveness.

If I have time, I will refer to that analysis of the Queensland experience. She makes the point —

Sharks have inhabited this planet for more than 400 million years, and have survived five mass extinctions. Earth is now entering its sixth—this time caused by humans—and sharks are at the pointy end, with 90% of the species already considered threatened.

It is not just an issue on NSW's surf breaks. Humanity's growing demand for protein has put substantial pressure on oceanic systems, and industrial fishing techniques have reduced predatory fish populations to less than 10% of their historic numbers. Sharks are especially vulnerable because of their low reproductive rates, slow growth and delayed rates of maturity.

In our region —

The Indo-Australasian region is recognised as a hot-spot for global shark biodiversity, and in this region Australia trumps all, with more than 36% of all known shark species living in Australian waters.

Williamson goes on to talk about the pivotal role that sharks play within the ecosystems that they inhabit. She states —

If we remove sharks as top predators from the ecosystem, the effects will filter down to animals lower down the food chain and cause unexpected changes to ecosystems.

I am still referring to Jane Williamson's piece in The Conversation. She asks —

What can we do instead of culling?

Indiscriminately culling sharks is dangerous to marine ecosystems, not to mention expensive and futile. We would be far better off allocating resources to achieving a greater understanding of the ecology and behaviour of these large predators. We can increase knowledge of why and where sharks are likely to attack humans by tagging sharks and following their movements over time, or through genetic studies that can assess effective population sizes.

We welcome the resumption of the tagging process that was suspended under this government's framework. In Jane Williamson's view —

... aerial surveys are unlikely to be a successful strategy, however. Scientific analysis has already discredited aerial programs in NSW.

It accounted for only —

... a 12.5% success rate in spotting a coastal shark from a fixed-wing aircraft, and a 17.1% success rate in helicopters. As surveys are only done for a few hours per week, and pass over a particular beach in minutes, these patrols can give the public a false sense of security.

She continues —

... ultimately, we also need to take personal responsibility, and reduce the likelihood of an attack by not swimming at dawn and dusk, not entering the water at the mouth of estuaries with poor visibility, or in areas of baitfish. After all, even sharks can make mistakes.

I think the move towards enclosed areas at beaches is very positive. Labor promised to put in an ocean pool, or allocate at least \$5 million towards an ocean pool, in Fremantle in the last state election. My time is nearly up but I commend an analysis of the Queensland shark culling program that was made in The Conversation online in February 2014. It was done by Jessica Meeuwig from the Centre for Marine Futures at the University of Western Australia. Having analysed publicly available figures in Queensland, she concludes there has been no effective reduction in the number of human fatalities as a result of drum line shark culling in Queensland.

MR R.H. COOK (Kwinana — Deputy Leader of the Opposition) [3.15 pm]: I thank the member for Fremantle for her contribution and I acknowledge the strong commercial fishing industry in her area. From the

outset, the minister will be relieved to hear that I, unlike others, will not mention sharks in my speech today. I am guilty of bragging, on a number of occasions, that there are no problems swimming at Rockingham Beach. I do it very often to train for triathlons because no sharks come in to Rockingham Beach. I have said this on many occasions until the other day when a paddleboarder explained to me that he was out about 50 metres offshore and saw a very dark shadow pass under his paddleboard. He then retrieved the distance between himself and the shore, packed up, and went home—and I have not been back to the beach since. I will make sure that I train only in the shallows from now on.

I am very pleased to be able to make a contribution to the Aquatic Resources Management Bill 2015 today. I was very pleased to hear from the shadow Minister for Fisheries that we would be supporting this bill. It is an important part of the evolution of legislation that goes through this place whereby we undertake to provide good, scientific evidence-based frameworks for managing difficult areas. From that point of view, we can put in place good legal frameworks for sustainable practices. In some respects, this is like Solomon's bill; the Minister for Fisheries has an incredibly difficult job trying to adjudicate over allocations of resources in very difficult open systems. If we think that the Minister for Environment has a difficult job trying to manage the allocation of environmental resources mainly in a land-based context, imagine the difficulty in first of all deciding the extent of a particular resource in an aquatic environment and then understanding that the minister is the steward of the sustainable management of that resource. Decisions then have to be made about how a resource is allocated. I remember a comment that Hon Norman Moore made to me just before his recent retirement. I asked him whether he was pleased to be relinquished of the responsibilities of being Minister for Mines and Petroleum. He said, "Actually, being minister for mines is the easy part; being Minister for Fisheries is the hardest because, under fisheries, you only get one chance to get it right." If the minister gets the allocation or the decisions wrong, they risk rendering a particular fish resource into difficult or unsustainable circumstances for seasons to come. If the resource is over-allocated, the very sustainability of that catch is tested; if it is under-allocated, the minister risks the wrath of the industry and recreational fishers at the same time.

This is an important piece of legislation and in some respects it is not dissimilar to the modern environmental protection legislation or, in that sense, the new Public Health Bill that we recently put through this place. It puts in place a proper framework to manage the risk around these things rather than undertaking a prescriptive approach to the management of aquatic resources. In that sense, we are placing our faith in the scientific endeavour and application that goes to these things, and the evidence that backs up that science and the conservation principles that are firmly embedded in this sort of legislation. It is important that politicians are pulled out of that space. Politicians have responsibility for managing the frameworks under which these decisions take place. Politicians are important for striking the public policy balance on these issues. It is also important that we get the politicians out of the deliberation, which is clearly the space for the scientists. We have done that in recent environmental protection legislation and public health legislation, which deal with the environmental health in the community, and we are dealing with it here in the Aquatic Resources Management Bill. This sits in stark contrast to the national approach that we see around climate change. Nationally, we see the science behind these issues being debunked by politicians who think they know better. We see politicians second-guessing and scrutinising the character of the scientists who are responsible for taking the debate forward. We see politicians for what is rank political gain and essentially the protection of vested and often industry interests taking a totally inappropriate role in the debate to undermine the science, to question the evidence, even though that evidence is scientifically based, and really question and contradict the conservation values that are implicit in these sorts of debates.

We see the mess that has been made of the whole climate change debate nationally and internationally when we see politicians and industry interests trying to wedge themselves between the public policy and the science that drives the public policy. I commend the minister and the government for bringing this legislation forward because it seeks to place the science at the front of the public policy process, relying upon evidence so that the minister can make a properly informed decision. This stands in stark contrast to the national debate on climate change, which has failed the community, failed the environment and failed the international community and economies of the world simply due to politicians wanting to question the science behind this stuff for their own purposes. This is another important piece of legislation that has come before this place and that sets in train the proper allocation of resources in a sustainable, effective legal framework.

I was struck by the statistics that the member for Bassendean, the shadow Minister for Fisheries, read into this place earlier today. He talked about the 150 million tonnes of plastic that infest our oceans and the impact that this will have on the environment. The shadow Minister for Fisheries talked about the rate at which the amount of plastic in our environment is overtaking the tonnage of fish stocks in our oceans. These are alarming facts but really go to the point that today we can no longer take for granted the vast environment that is our oceans. We have to properly manage the environment of our oceans and the fish stocks and aquatic resources therein. I thought the comments the shadow minister made about the Fremantle City Council's efforts to ban plastic bags in that city were really interesting. The member for Bassendean talked about the lamentable contribution by

Liberal members in the other place who ruled against Fremantle City Council, despite popular support for those measures, bringing that important contribution to the environmental debate. This goes back once again to the issue of politicians getting out of the space that is properly the space of environmental scientists and trying to don the white coats of science to second-guess the science behind this stuff and, in essence, ruining important environmental control measures.

Both the minister and the shadow minister talked about the accumulated economic benefit of our fisheries providing a \$1.5 billion contribution to the Western Australian economy. That contribution is towards not only the commercial and recreational fisheries but also tourism and people enjoying our natural environment. That goes further to the issue around making sure that we continue to support the conservation values that are built into this legislation. The shadow minister outlined how commercial fisheries often play second fiddle to other industries in our economy. He pointed to the very obvious example of the might of the oil and gas industry in Western Australia. That is just playing out the numbers. Let us not forget that the commercial fishing industry is capable of throwing its weight around. From that point of view, it has never been backward in coming forward and making sure it defended the economic interests of its members. If we can accuse the resource-based industries of kicking around industries such as the commercial fishing industry, the smaller player in the playground is the recreational fisher, who ultimately gets it from the commercial fisheries. This is just part of the fun that the minister has to adjudicate.

I am also reminded of my days in native title when both the Western Australian Fishing Industry Council and the recreational fishers, armed to the back teeth with commonwealth-funded lawyers, would line up day after day to kick the living daylight out of any Indigenous-based fishing rights that may or may not have been discovered through the native title process. I simply remind the shadow Minister for Fisheries that we should not waste too much energy feeling sorry for the recreational fishers and the commercial fishers because when it came to promoting Indigenous fishing rights either through native title or being recognised in other instruments, those two bodies were always very clear in making sure that there was no transgression of their interests, economic or otherwise, with respect to recognising any sort of fishing industries from traditional fishing rights.

I am very pleased to see that the minister has seen fit to include the recognition of customary fishing rights. He observes in his second reading speech —

With respect to customary fishing, it is expected that the amount of the resource that will be set aside for customary purposes will reflect the estimated historical customary use of the resource.

Obviously when a resource is under stress, it is up to the minister to then allocate the relative claims that the various stakeholders within fishing interests will have in relation to that. I ask the minister to clarify in his response to the second reading how that would be managed in the context of a fishery that is under pressure. Is there a hierarchical approach to the allocation of rights? Will commercial fishing rights, for instance, be considered a greater right than recreational fishing rights and will both those fishing rights ultimately be considered to have a stronger claim on the fish stock than customary fishing rights? I would like to make sure that we preserve customary fishing rights because although they are a relatively small burden upon the fish resource, they provide an important cultural link for Aboriginal people in making sure that they can continue to practise their culture. Although it may mean a slight reduction in allocation rights for a commercial fishing or a lower bag limit for a recreational fisher, it will mean a very crucial transgression on customary fishing rights if they too are considered to be up for grabs in restricting the allocation of that fish stock.

I take on board the comments by the member for Bassendean, the shadow Minister for Fisheries, when he says that he is concerned about the level of consultation with land councils and other Aboriginal groups throughout the state on the crafting of this legislation. I would like some reassurance from the minister that Aboriginal groups were consulted on this legislation. Also, will a decision on customary fishing rights rely upon a finding of native title or will the minister ultimately rely upon other legislative instruments in this legislation to recognise the customary rights of a traditional owner group even though that might not have been facilitated through the native title processes? A good example, for instance, is the Noongar claim, for which, to achieve a determination, it was agreed that there is no native title. I am thinking also of some of the groups in the midwest that may not have been successful in having their native title rights recognised but who obviously still have strong customary fishing practices. Some clarification from the minister around those issues would be greatly appreciated.

[Member's time extended.]

Mr R.H. COOK: This legislation also provides a legal framework around the growth of the aquaculture industry, which is a very important part of our whole fisheries space. I acknowledge the great work of the folk at the mussel farm that sits between my electorate and the member for Rockingham's electorate. I acknowledge also that they lament the growth in snapper stocks in Cockburn Sound and its impact upon their harvest.

On the issue of snapper stocks in Cockburn Sound, the minister will remember that recently an algal outbreak in the sound had a devastating impact upon some of the fish stocks. Was it algal?

Mr J.M. Francis: Microalgae.

Mr R.H. COOK: It was very small algae; nevertheless it was algae, which gave rise to anxieties in the recreational fishing community. There are two aspects of that. Firstly, it drove home to me that one should never stand between a recreational fisher and his or her right to fish. I attended the rally down at the Rockingham jetty and the level of anger at that rally was palpable as they took aim at the submarines, the Kwinana industry.

Mr J.M. Francis: Submarines! That is disgraceful.

Mr R.H. COOK: Yes, it was alleged the submarines were responsible. The CIA got a guernsey too, I think.

Mr J.M. Francis: It's nothing to do with the submarines.

Mr R.H. COOK: It was nothing to do with the CIA for that matter, and, I stress, nor was it anything to do with Kwinana industry. Mr Chris Oughton, the chief executive officer of the Kwinana Industries Council, in an act of extraordinary bravery or absolute foolishness, decided to explain to some of the members of the gathering through how Kwinana industries were not responsible for it. It was neither the time nor the place for rational discussion about the impact of Kwinana industries upon Cockburn Sound. I am not sure what Chris had for breakfast that day, but whatever it was it gave him an extraordinary level of Dutch courage and he took the argument up to some of these people. I was quite literally worried for his physical safety. The level of anger there was just extraordinary. As I have said, various members of that community sought to blame a range of things, whether it was shipping, the submarines or a range of people, for the decline in fish stocks. That has since been clarified by the Department of Fisheries. I am not sure whether that gave people comfort. I think they were more comfortable blaming the CIA, but that was a good explanation. One of the things that resulted from that was a crowdfunding effort to purchase an extraordinary amount of snapper fingerlings to restock Cockburn Sound. That really drives home how we have an open system. How we can with some confidence decide that those fish would then be available for recreational fishing purposes months or years later, I am not quite sure, but they were quite happy to obviously make a contribution to the fish stock through that purchase.

I would like the minister's attention for a moment. I wonder whether that is a precursor for future interventions in our natural fish stocks; that is, people will seek to make an investment, if you like, in the natural fish stock and whether that will give rise to what might be considered some form of property rights. Consider in, say, four or five years when a Minister for Fisheries makes an allocation around bag limits in Cockburn Sound, elements of the recreational fishing community may say, "Hang on, the fish that you're now talking about in Cockburn Sound, which should be of size, are the same fish we invested in five years ago. So as recreational fisheries we should have had a greater claim on that resource." This is pretty futuristic stuff. What if we extend the idea that people will start making interventions by way of investment into fish stocks in the future in what they consider a semi-closed system, such as Cockburn Sound? Will that give rise to further consideration of property—I use the word "property" in very loose terms—rights around that fish stock? That might ultimately provide some challenges for this legislation and challenges for a future Minister for Fisheries around the relative allocation of fish resources. That gives rise to the last two points I would like to make by way of questions to the minister. I noticed that the second reading speech states —

Like existing fisheries management plans, an aquatic resource use plan may be disallowed by Parliament.

That concerns me because we seem to be setting up a scientific, evidence-based public policy process around the allocation of resources, but ultimately that may be punted back into the political domain through a disallowance motion. So I am wondering whether there are restrictions around the basis on which a resource allocation plan might be disallowed. Let us say that the Shooters and Fishers Party get a majority in the upper house—Lord preserve us if that is ever the case—and our politicians are struck by a particularly strong call around one of the interest groups inside the fisheries debate. If it is commercial, people might be worried about an important fish allocation of rock lobster resources, and there are some very powerful commercial industry interests around that or around recreational fishing resources. Is it possible that, ultimately, an aquatic resource usage plan might be disallowed simply on political grounds? Obviously, that is a concern if we are now saying that we want scientists to decide the way we do these things and for the minister to be guided by the science but, ultimately, that science will be up for question by the politicians. I would like some clarification of those issues.

I noted what the member for Bassendean said about the hypothesis that recreational fisheries users or interest groups could ultimately reallocate their unused portion under a commercial arrangement with commercial fishing interests. That is obviously a bit of a concern. I would like to know how they would go about exercising a property right and what mandate it would have to be done under. It is a very real concern if the minister is contemplating turning what is essentially a non-commercial right to fish for recreational purposes to a property

right that might be converted to some other interest. Again, we do not want people privatising their fishing rights, for want of a better description, under a process that is ultimately about conservation or converting a recreational interest to a commercial one, even if it is said that it should be for the purposes of promoting recreational fishing or providing more facilities. I think there are much better and safer ways that can be gone about. At the moment I am just stalling because I hope that the minister will come back in before I pose my final question.

[Quorum formed.]

Mr R.H. COOK: My final question is about a comment in the second reading speech, which is as follows —

International and Australian experience has clearly shown that more secure rights of this nature —

Which go to the allocation of rights for commercial fishing —

will facilitate greater investment in, and stewardship of, the state's aquatic resources.

I understand that alludes to the concept that the shadow minister talked about that essentially this provides a commercial fisher with a greater opportunity to monetarise a right in a particular commercial fishery and that will potentially facilitate raising debt in order to improve fishing boats or something like that. They might be able to use that as equity in order to continue to invest in better equipment and advance the industry from that point of view. My question to the minister is: how is that done around fish stocks that might rise or fall significantly over a period of time? This comes into particularly sharp focus when we consider the violent impact that global warming is having upon some fish stocks. I am reminded of the situation, I think, in Ecuador recently where many tens of thousands of tonnes of small fish stocks, but also whales, were washed up on the beach because of the impact of global warming in those local waters. There will be really sharp changes in the aquatic resource and that will make it very difficult for a commercial fisher to have any confidence on a season-by-season basis that the value of their licence will be maintained. The minister might ultimately be able to say, "I am sorry, I recognise that you have an allocation around X or Y amount of rock lobster or some other thing, but because of the impact of global warming and this new algal bloom"—or however it is described—"in Cockburn Sound, I will now halve that for this season." All of a sudden there is a commercial fisher who might have taken out a loan based upon the particular value of the licence only to have the value halved. What is the impact that gets passed on to the minister and what liabilities are there for the state when that fisher in all good faith has raised debt based on the value of the licence?

Finally, having posed those questions, I look forward to a response from the minister about that. I commend the government for continuing to drive legislation in this place that places science, evidence and conservation front and centre of the legal frameworks we put in place around fisheries, public health, environmental protection and a whole range of those sorts of things. Ultimately, this is stuff that should be driven by science and evidence-based policy, not by the wishes or great political opportunism of politicians.

MR D.A. TEMPLEMAN (Mandurah) [3.46 pm]: I would like to make a contribution to the debate on the Aquatic Resources Legislation Amendment Bill 2015 and the Aquatic Resources Management Bill 2015 today, because sustainable fishing resources are of course crucial to my region of the Peel. It is important to note in the house the significance of the Peel fishery, the role it has played historically in the Peel and the way forward to ensure we continue to have a sustainable fishery in the Peel–Harvey estuary and, indeed, the Indian Ocean to the west of the region.

It is important to know that the site of Mandurah goes right back through Indigenous times to the first Western Australians. It was a gathering place for the Indigenous community for literally thousands of years. Indeed, history shows that fish, of course, remained a very important part of the diet of Indigenous people before the colonisation of Western Australia. Along with other sites along the Peel–Harvey system, Mandurah has been an integral part of the fishing industry. Fishing has been part of our history and our culture from the 1800s to the present day—both the commercial fishing industry and the popular recreational pursuit of catching the Peel region's famous blue manna crab. I am interested in how the Aquatic Resources Management Bill relates to a process underway. I am aware that the current Minister for Fisheries is new to the portfolio, but I want to talk about the revolutionary process being undertaken with the move to seek Marine Stewardship Council certification of the Peel fishery. That process has now been going on for a period of time. I received an email only this morning from Julia Kent, who is part of SCS Global Services, which is a third-party independent certification body that has been undertaking an evaluation of the Peel–Harvey estuary fishery under the Marine Stewardship Council standard for sustainable seafood. The unique thing about the push in the Peel region to have our Peel fishery recognised as a world-class certified sustainable seafood operation is that it is a cooperative process between commercial and recreational fishers. It is a groundbreaking process, given the history. Over a long period of time—I moved there 27 years ago; I have lived over half my life there—there have been pressures on the recreational fishers seeking the harvest of the Peel–Harvey system, particularly the blue manna swimmer crab, and the take of commercial fishers. Historically, large numbers of commercial fishers

have operated under licence in the Peel–Harvey fishery, but their numbers have declined since the heyday of the 1970s and 1980s. It is still a very important and viable industry to our community in Peel. It provides a livelihood for the current licence holders and their families, and they employ people in their businesses. It is also an important, positive identity for the region that our fishery is seen through a lens of sustainability. There is no doubt that in the past there have been water quality issues—there remain concerns about the water quality of the fishery—but the efforts of various stakeholders to secure, under the Marine Stewardship Council’s standards, if you like, a gold-class rating for the seafood harvested from the Peel–Harvey is something that I strongly support. I applaud the various stakeholders who played a part in that. I particularly congratulate the local commercial fishers in the region who are part of the Mandurah Licensed Fishermen’s Association. I particularly give credit to Damien Bell, who is president of the Mandurah Licensed Fishermen’s Association. Damien is a second or third generation fisherman. His father was a commercial fisherman and Damien has continued the business. I am not 100 per cent sure whether his grandfather or grandparents were involved, but fishing is certainly in his blood. He is a young bloke with a young family in Mandurah. His passion, of course, is not only for the continued productivity and health and wellbeing of the estuarine system, but also he wants to ensure that the quality seafood produce grown in our region is done in a sustainable manner and that we value-add to that product. No matter where it goes—whether it is consumed locally or regionally, in other markets in the state or in other parts of Australia, or, indeed, if it is reaching export markets outside Australia—we want a value-added product that gets recognition for being from a sustainable fishery. That is what this MSC accreditation process has all been about. It has been a long process that has involved various stakeholders and a lot of effort, work, meetings and commitment, and I applaud the leadership of Damien Bell and the other members of the Mandurah Licensed Fishermen’s Association and their families, and the other stakeholders who played an important part in the Marine Stewardship Council process.

I also acknowledge Recfishwest, which is a co-client in the application for the MSC’s ecolabel. It is important that this application has been made as a coordinated, cooperative process. We want to ensure that we continue to produce excellent quality product from the Peel–Harvey system from a commercial standpoint, while recognising and acknowledging that recreational fishers should also be able to enjoy part of that sustainable harvest.

Many people have stories of the Peel–Harvey system, and the blue swimmer crab in particular. Some who have lived in Mandurah for a long time lament when the terrorists, as we call them, from outside Mandurah or Peel come down and plunder our blue swimmer crab and then duck off back to Perth or wherever they came from. But we also recognise that the recreational pursuit of the blue swimmer is an important part of tourism and marketability of the region. It is important that the Department of Fisheries, from a monitoring and, I suppose, a policing perspective, continues to maintain and improve resources to the region of Peel, particularly during the peak season when the catchers are out. We are reaching the two-month, no-take period for the blue swimmer species. It is important to acknowledge that there have been a number of high-profile—they have been reported locally; I think they should be reported more widely—significant fines and fine enforcements against illegal catchers. I hear stories all the time from, particularly, rec fishers about the regular taking of illegally sized crabs in vast numbers. I believe, despite the fantastic work of the Department of Fisheries and the police—there is a number of examples of joint operations to check and police the catchers by the visitors to the region—I still hear disturbing reports about large numbers of undersized crabs being taken from the estuary and people getting away with that or avoiding scrutiny or capture by the officers. In the past, we used to have what I thought was an effective and efficient volunteer fisheries liaison officer program that was particularly effective in the Peel, particularly during the peak season. We had volunteer fisheries —

Mr C.J. Tallentire interjected.

Mr D.A. TEMPLEMAN: Yes, the member for Gosnells knows the one. What was that again?

Mr C.J. Tallentire: Volunteer fisheries liaison officer.

Mr D.A. TEMPLEMAN: They were very good. They were very dedicated volunteers who were passionate about making sure they educated people who were going out seeking crabs. That program dissolved to the detriment, in some ways, of the overall policing of the fishery.

Debate adjourned, pursuant to standing orders.