

A Consultative Process for Resource Sharing in Commonwealth Fisheries

The Australian Government (the Government) is responsible for the Commonwealth managed fisheries under the *Fisheries Management Act 1991*. Resource sharing arrangements will be developed to be consistent with the fisheries management process set out in the legislation.

Resource Sharing Objectives

The Government will pursue the following objectives when determining resource sharing arrangements for Commonwealth fisheries:

1. To avoid conflict between sectors by ensuring equitable access to Commonwealth fisheries resources;
2. To effectively manage the total extraction of fish resources from Commonwealth fisheries to contribute to their long-term sustainability; and
3. To engage the relevant sectors in the development of resource sharing arrangements and seek to develop mutually acceptable arrangements, where possible.

The Consultative Process

The development of resource sharing arrangements in accordance with these objectives will follow a clear and transparent process, which is described below.

1. Research and Information Collection

Certain information is required to determine Resource Sharing arrangements for a fishery. This includes:

- identifying a nominated fishery, including the area it covers, gears used and relevant impacts on target species, bycatch and non-target species;
- identifying stakeholders and agree on the criteria and data sets to be used to develop resource sharing arrangements;
- reviewing basic fishery information, including:
 - catch history and interactions (including information on gear interactions) for relevant user groups
 - this information could be informed by AFMA's Fisheries Assessment Groups;
- analysing fishery information and identifying information gaps; and
- documenting stakeholders expectations of a resource sharing process.

2. Consultation

The Government will consult with representatives of identified stakeholders, through small working groups. Issues to be considered during consultation include:

- how best to give effect to resource sharing in the nominated fishery;
- ongoing management arrangements – it is intended that AFMA will continue to manage the commercial sector and the states/NT will manage the recreational/charter sector under the terms of the Memorandum of Understanding signed at the Natural Resource Management Ministerial Council on 3 December 2004;
- depending on the nominated fishery, it may be necessary to consider resource sharing arrangements for other sectors such as indigenous users; and
- appropriate cost-sharing arrangements.

3. Determining Resource Shares

It is hoped that stakeholders will come to mutual agreement on resource sharing arrangements, which the Government will then consider and endorse where appropriate.

However, if agreement is not possible, then the Government may choose to appoint an independent facilitator to work with stakeholders to develop options for resource sharing between user groups. In determining options, basic fishery information obtained through the initial steps will be considered against stakeholders' expectations as outlined during the consultation phase.

There are a number of ways in which a share of a resource can be expressed through an arrangement for effective management (e.g. proportion of a TAC, proportion of mortality in a fishery, historical catch, spatial separation). These tools will be considered when determining options for resource sharing between user groups. The use of a range of tools combined into a package of arrangements may provide the best way to meet stakeholders' objectives in the fishery.

The impact of options on the existing rights of user groups in the fishery will also be considered.

4. Final Recommendation

The final options and recommendation on Resource Sharing arrangements between user groups will be presented in a draft paper to Government for consideration. The draft paper will also be circulated to stakeholder representatives inviting their final comments. The draft paper will set out:

- the Resource Sharing recommendation, including the rationale behind the preferred arrangements;
- ongoing management arrangements;
- cost-sharing arrangements; and
- any possible erosion of rights and implications.

5. Final Decision

The Government will make a final decision based on the draft paper, stakeholder feedback on this paper and current Government policy.

6. Application of Decision

The Australian, States and Northern Territory governments will manage the sectors in accordance with the Memorandum of Understanding for Resource Sharing Management for Commonwealth Fisheries.

- AFMA will manage the commercial-sector component of any resource sharing arrangement.
- The States/Northern Territory will manage the non-commercial component of any resource sharing arrangement.