Introduction

Background

As discussed with the community, Western Australian (WA) fishing rules are already in place on the Cocos (Keeling) Islands (CKI), but these rules were not specifically designed for the unique CKI region. The Department of Infrastructure, Transport, Cities and Regional Development (the Department) and the WA Department of Primary Industries and Regional Development’s (DPIRD’s) Fisheries Management Division (WA Fisheries) have worked together over the last decade to develop proposed rules specific to the CKI region, which are based on research and community consultation. This work has involved a number of public consultations.

The draft fishing rules seek to balance the need to protect the fishery with cultural and community needs. Marine habitat and associated fish stocks at CKI are limited due to the isolated nature of the Islands and are highly vulnerable to over-fishing\(^1\). Taking this into consideration, and that fish is a primary source of protein for the community, it is important that fish stocks continue to be available for the community now and into the future.

Studies undertaken by WA Fisheries began in 2007 and have included underwater visual surveys, baited remote underwater video surveys, environmental surveys, biological sampling and catch composition, satellite receivers, and eDNA (environmental DNA obtained from samples). This information is used to make informed management decisions. As further information is collected, and if evidence demonstrates there is a change in fish stocks, rules can be amended. More information is available on the Department’s website.

Overview of public consultations

On 6 August 2019, the Department released the Exposure Draft: Cocos (Keeling) Islands Applied Laws Amendment (Fish Resource Management) Ordinance 2019 for public comment. The Department advised the community that public comment should be received by 23 August 2019. On 22 August it was announced that the public comment period would be extended until 1 September 2019.

The community was also advised on 22 August that it was intended the draft Ordinance would be accompanied by the following Exemptions:

1. Take of passionfruit coral trout – Permitting a small number of passionfruit coral trout to be taken.

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\(^1\) Review of the exploitation of marine resources of the Australian Indian Ocean Territories: the implications of biogeographic isolation for tropical island fisheries, M Hourston, Government of Western Australia, Department of Fisheries
2. Cultural allowances – Proposed Exemptions to allow for increased bag limits for times of cultural significance (for example, no bag limits for cultural events).

3. Community fishers – In recognition of historic fishing practices, community members would be able to apply and be exempted from the need to hold commercial fishing licences, subject to conditions such as:
   a) All recreational fishing rules are complied with, including recreational gear restrictions, no take of protected species, and no fishing in closed areas;
   b) The amount of fish taken would be restricted to recreational bag limits;
   c) Fish taken would only be able to be sold locally; and
   d) Fishers would be required to complete and submit records of all catches.

By the closing date for submissions (1 September, 2019), nineteen submissions were received from CKI.

On 9 September 2019, the CKI community was informed that, following ongoing community interest, further information sessions would be held on CKI. These took place on Home Island on 18 September 2019, and on West Island on 19 September 2019.

The Assistant Minister for Regional Development and Territories, the Honorable Nola Marino MP, visited CKI between 24 and 27 September 2019. Following her visit, Assistant Minister Marino asked the Administrator of CKI, Mrs Natasha Griggs, and the Department’s Territories Division Executive Director, Mr Alex Foulds, to undertake an additional round of community consultation, which occurred from 6 to 7 November 2019.

The purpose of this additional round of consultation was to ensure the views of as many people as possible were part of the consultation process.

**Purpose of this report**

The purpose of this report is to summarise community feedback received during the consultations held on CKI in November 2019.

The Department continues to consider the feedback from the community, and the Department’s response to the issues raised will be provided in due course.

**Methodology of consultation**

As mentioned, it was the intention to ensure the views of as many people as possible were part of this consultation process. The community had an opportunity to discuss the findings of work undertaken to date, the scientific evidence, and how community feedback had been taken into account in the proposed rules.

Individuals or small groups were invited to make an appointment through the Office of the Administrator.
Meetings

Meetings were chaired by Mrs Griggs, and supported by Mr Foulds, with other Departmental officers, and staff from WA Fisheries. Across the two days, the team met with in excess of 68 people across a range of forums including individual and open community meetings.

Community Views

Local rules

Respondents suggested self-regulation and requested community education. It was suggested a local Community Reference Group be established to represent the range of fishing types and interest groups.

Export limits

A respondent requested clarity on the definition of ‘export’. A respondent suggested that if the removal of fish from the islands was disallowed, bag limits would become irrelevant. Questions were asked about whether species of fish approved for export could be varied.

Cultural

Respondents suggested new rules may contribute to a loss of cultural identity, suggesting the supply of fish to family members was an essential part of the Cocos Malay culture. A respondent mentioned that due to the high cost of living, the community is dependent on fish as a staple food source. A respondent suggested it was important to keep culture alive. A respondent criticised the ban on the hunting of protected booby bird species. A respondent suggested that no legislation should apply to CKI fisheries.

Adaptation of rules

A respondent questioned if new rules would be able to be adapted.

Fishing closures

A respondent asked if current fishing closures could be changed.

Turtles
A respondent asked whether the impact of turtles on the sea grass, which is habitat for some juvenile fish species, had been considered.

**Bag limits**

A respondent suggested that if the removal of fish from the island was disallowed, bag limits would become irrelevant. A respondent asked if the bag limit for Gong Gong could be increased, suggesting to increase limit from 20 to 500. A respondent questioned why bag limits were needed and what methodology was used to determine bag limits.

**Enforcement**

A respondent questioned how any new rules would be enforced.

**Consultation**

A respondent questioned how this round of community consultations were set up. A respondent questioned what was “on or off the table” in relation to the new rules.

**Next steps**

The feedback from the community summarised in this document is being considered. There will be a further opportunity for community consultation on any proposed changes to the approach. The Department is committed to working with the community and keeping people informed as the process progresses. A local Community Reference Group is being established to represent the range of fishing types and interest groups on CKI.