



Ngari Capes Marine Park compensation update

The Department of Primary Industries and Regional Development (DPIRD) supports payment of fair and reasonable compensation to fishers who suffer a loss in the market value of their authorisation as a result of a marine park coming into effect.

The process for determining whether compensation is payable is governed by the Fishing and Related Industries Compensation (Marine Reserves) Act 1997 (FRICMA). Much has been learnt in recent times about how to apply FRICMA and it is anticipated that this will speed up future compensation processes.

The Department is currently working through applications on a fishery by fishery basis, though negotiations may occur concurrently for multiple fisheries.

Latest timeline of activities:

14 January 2020

- Applicants to the Ngari Capes Marine Park compensation process were informed that a broader interpretation of the legislation would be taken and that sections 5(2)(b) or 5(2)(e) of the *Fishing and Related Industries Compensation (Marine Reserves) Act 1997* (FRICMA) could apply.
- Application process has been extended to 31st May 2020. Licence holders in fisheries whose boundaries cover the marine park, were advised of this new date.

10 March 2020

- Abalone Managed Fishery licence holders in Areas 3 and 6 were sent a letter from the Minister for Fisheries determining they were entitled to compensation. Licence holders were informed that the Department of Primary Industries and Regional Development would negotiate on behalf of the Minister.

16 March 2020

- DPIRD letter sent to all Abalone licence holders in those zones to commence negotiations.

27 March 2020

- Applicants entitled to compensation in the West Coast Demersal Scalefish Managed Fishery and Southern Demersal Gillnet and Demersal Longline fisheries were advised by the Minister.
- Licence holders were informed that the Department of Primary Industries and Regional Development would negotiate on behalf of the Minister.

22 April 2020

- DPIRD letter sent to West Coast Demersal Scalefish licence holders to commence negotiations.

23 July 2020

- A Committee of Advice (Committee) has been formed to advise the Deputy Director General, Sustainability and Biosecurity (DPIRD), who is conducting negotiations on behalf of the Minister, on eligibility and fair and reasonable compensation under FRICMA.
- The Department engaged Dr Nick Rayns, former Executive Manager of the Australian Fisheries Management Authority (AFMA) to Chair the Committee.

August 2020

- The Department has worked collaboratively with the Western Australian Fishing Industry Council (WAFIC) to develop a set of principles to determine both market value and eligibility.
- Based on this work, the Committee has recently completed Principles to be applied when seeking and assessing applications for compensation under the Fishing and Related Industries Compensation (Marine Reserves) Act 1997.
- The Principles for Market Value Paper has been assessed by the Valuations and Property Analytics Branch of Landgate (Valuation Services). Valuation Services has advised it fully agrees with the Compensation Principles.
- The Principles for Market Value Paper will be used to guide negotiations with industry on compensation for eligible licence holders. The Principles Paper can be found on the department website for review at <http://www.fish.wa.gov.au/Fishing-and-Aquaculture/Commercial-Fishing/Commercial-Fishing-Licences/Pages/Marine-park-compensation-FRICMA.aspx>

The department will continue to provide updated information as soon as it is available. If you require further information please contact Michelle Cridland at Michelle.cridland@dpiird.wa.gov.au