

**FISH RESOURCES MANAGEMENT AMENDMENT REGULATIONS (NO. 8) 2006 —
DISALLOWANCE**

Motion

MR G. SNOOK (Moore) [4.48 pm]: I move —

That regulations 3 and 10 of the Fish Resources Management Amendment Regulations (No. 8) 2006 under the Fish Resources Management Act 1994, a copy of which was laid on the table of the house on 21 November 2006, are hereby disallowed.

I want to make it very clear from the outset that this motion to disallow these regulations should not be taken in any way as meaning that I or any other speaker on this side of the house do not support the sustainability of a fishery. I have been an active participant in the fishing industry for 34 years, and my considerable contribution in helping with and supporting the establishment of the Jurien Bay Marine Park stands as testament to my commitment to sustaining fish species and the marine environment. I want to make that point very clear from the outset so that people do not misinterpret where I and other members on this side of the house are coming from in seeking to disallow these two regulations of the Fish Resources Management Amendment Regulations (No 8).

There is an enormous amount of disquiet and concern in both the commercial and recreational fishing fraternities. Over the years consecutive governments have applied an integrated fisheries approach to the management of fish species. An integrated fisheries management policy is a way of protecting and sustaining individual species and fisheries within the global concept of the fishing industry. The policy has attempted to approach recreational and commercial fishing, sustainability and environmental impacts in a balanced way. Participants in the fishing industry, particularly commercial fishermen and more recently recreational fishermen, have communicated to me, via telephone calls, letters and emails, their serious concern about the approach of the current Minister for Fisheries. In making his determinations, the Minister for Fisheries seems to be moving away from an integrated fisheries management policy approach. Later in my contribution I will demonstrate how he has done that. The regulations were imposed after the release of a series of discussion papers and after research was undertaken into the sustainability of the shark fishery. The shark fishery is generally called the temperate shark fishery. Western Australia has three specific zones. The Joint Authority Southern Demersal Gillnet and Demersal Longline Managed Fishery and the West Coast Demersal Gillnet and Demersal Longline Managed Fishery are collectively known as Western Australia's temperate shark fisheries. The Joint Authority Northern Shark Fishery and the Western Australian North Coast Shark Fishery are collectively known as the Western Australian tropical shark fishery. Those fisheries comprise joint commonwealth and state management. As most members would be aware, the state has responsibility for the day-to-day management of Western Australia's fisheries. The commonwealth's role is overarching, because the fisheries extend into the international zone where foreign vessels have an impact. There is a mix of governments and management, but primarily the Western Australian Department of Fisheries manages the day-to-day operations of all fisheries that come under joint management.

The temperate fisheries, which are gear-based, are directed primarily at shark, but a scalefish component is included in a fishermen's catch. Between 1997 and 2001, a series of gear-unit reductions were implemented in response to concerns about the sustainability of shark stocks. There was no question that shark stocks were under considerable pressure. By way of anecdotal experience, I had the good fortune to be on the aeroplane that investigated the *Kirki* incident. Members may recall that a number of years ago the *Kirki* lost its bow when it was west of Cervantes. The aeroplane, which had a number of passengers, flew well out to sea to where the *Kirki* was being towed. We were 50 miles off the coast. In the distance—approximately 15 to 20 miles to the west—we spotted a fishing vessel. As matter of interest, I asked the pilot and those who were in charge of the charter—the ship owner representatives and agents—if we could fly those extra 15 or 20 miles to look at the vessel. As we circled the vessel at low level, we could clearly see the whites of the fishermen's eyes. The vessel was a foreign fishing vessel. It was typical of the type of vessel that has a wheelhouse at its centre. Such vessels are seen in Fremantle port. It was a white, long-lined "tuna-type" vessel. The fishermen were actively fishing. They were winding up a longline. We flew around the vessel six times. In that time the fishermen continued to haul in sharks. The vessel was roughly 70 to 80 miles off the coast. They were busily grinding away and pulling up the longline. They cut the fins and tails off the sharks and then threw the carcasses back into the water.

Mr P. Papalia: What year was that?

Mr G. SNOOK: I think the *Kirki* incident was about 12 or 15 years ago. It happened in the mid-1980s.

Mr D.A. Templeman: How long was the line?

Mr Gary Snook; Mr Paul Omodei; Mr John Castrilli; Mr Paul Papalia; Mr Murray Cowper; Deputy Speaker; Mr Fran Logan; Mr Grant Woodhams

Mr G. SNOOK: I have no idea; they were working it. They can be up to 20 kilometres long. It was a continuous longline. I am not sure whether that is still going on today so I will not say that it is.

Mrs J. Hughes: It was on the news the other night.

Mr G. SNOOK: I missed it.

Mrs J. Hughes: I think it was on *Dateline*. It is horrific.

Mr G. SNOOK: I thank the member for that.

My point is pertinent. In his maritime experience the member for Peel may have had interaction with illegal fishermen or illegal fishing that takes place offshore internationally. This incident appalled me. A commercial television camera operator was on the plane. He took footage of the vessel and it appeared on the news that night. The fishermen were literally cutting off the tails and the pectoral and dorsal fins and throwing the carcasses back into the ocean. Some of the sharks looked to be three or four metres long. My point is that that kind of fishing has been having an impact on the shark fishery for a long time. I do not know whether that has been pulled into gear. Members have just indicated that it still occurs. I would not be surprised if that is the case.

In addition to the day-to-day pressure placed on the inshore section of the fishery by a range of Western Australian fishermen before netting reduction and licensing came into place all those years ago, lobster fishermen would go shark netting in the off-season. They would catch a range of fish, including dhufish and sharks of all shapes and sizes. That has been stopped, and rightfully so. A considerable amount of effort has gone into reducing the negative impact on the shark fishery. Let us hope that the commonwealth fisheries managers can do something about the negative impact of foreign fishermen on our shark fishery which, by all accounts, is still occurring. Even though the net length equivalent of gear units was reduced between 1997 and 2001, particularly for dusky and whiskery sharks, a latent fishing effort was physically not being used. Mr Acting Speaker (Mr P.B. Watson), you would probably be familiar with some of the fishermen in your electorate. There are two aspects to this issue. The first is the impact of the regulations and the reductions in the efforts of the Western Australian shark fishermen and the Windy Harbour wetline fishermen. Those wetline fishermen, who are constituents of the member for Warren-Blackwood, Hon Paul Omodei, are being prohibited from catching shark, because under regulations 3 and 10, commercial fishermen who are not licensed shark fishermen and who do not have an entitlement to these units are not allowed to catch shark. That means that crayfish fishermen or rock lobster fishermen cannot catch shark. Windy Harbour wetline fishermen who take a small catch have a fairly small or minimum impact volume of catch. I have heard from them that the Department of Fisheries tends to view them as lifestyle fishermen. They have a great lifestyle. I went there with the member for Warren-Blackwood.

Mr P.D. Omodei: It is a very important part of the local economy.

Mr G. SNOOK: It certainly is. Even though these fishermen are small operators, it needs to be known that their families are dependent on that activity, not in all cases entirely for their income but for a good proportion of their income. In their small way they contribute to putting fresh, locally caught seafood on the plates of all Western Australians. The message for all of us in this place is that we need to be very mindful that in agriculture, horticulture and all aspects of food production, including fishing, there appears to be a diminishing capacity to put fresh, local, quality food on the plates of Western Australian consumers. That is a severe worry for me and it should be a worry for all of us in this place. When regulations are devised and brought into this place, my scrutiny of them will be very in-depth because, by a simple stroke of the pen, Mr Acting Speaker (Mr P.B. Watson), your fishermen constituents in your electorate can be severely impacted upon.

Mr C.J. Barnett: With all the emphasis on obesity and poor diet, particularly among children, the reality is that not only lower income but also middle income families cannot afford to buy fish because it is so expensive. That is the reality, so I take your point. It is a big issue for communities and families.

Mr G. SNOOK: It is, and I think that would be acknowledged across parties in this chamber. There is no simple solution to resolve this issue of the loss of capacity and ensure that we can keep local fishermen in business, maintain the sustainability of the stock, look after the environment and get the balance right. Recreational and commercial fisheries and fisheries management are, as we all know, very political issues. They are a tough political nut to crack. If we do not apply equity, fairness, decency and compensation by acknowledging these people who earn their living from the sea and produce much needed, high quality food, which it is medically advised we should consume, we will be in strife. If we make decisions in this place that allow regulations to go through that smash people's livelihoods, crush their families and destroy other industries and service providers, we will be in big trouble.

Mr Gary Snook; Mr Paul Omodei; Mr John Castrilli; Mr Paul Papalia; Mr Murray Cowper; Deputy Speaker; Mr Fran Logan; Mr Grant Woodhams

I know that you may have done this, Madam Acting Speaker (Mrs J. Hughes), but members should go to their local supermarket—no names, no pack drill, because local supermarkets have very little choice as retailers—and see the brands of frozen fish in the fish display freezer. I did that recently. I will give members a list—off the top of my head—of the brands I saw. I saw frozen shellfish and fish product from Thailand, China, Vietnam, the Philippines, Indonesia, South America and Chile; the list goes on. That is appalling. Do members know why it is appalling? It is because I could not buy a piece of Western Australian fish. I could not buy a rock cod or even a crab caught in Western Australia. I could not get any shellfish or seafood that was caught in Western Australia. As a fisherman in a former life, I think that is absolutely appalling.

Mr C.J. Barnett: You need to go to the Boatshed in Cottesloe and pay \$50 a kilo for it. That is an option only for wealthy people now, because fish is a luxury item.

Mr G. SNOOK: The member for Cottesloe is absolutely right. Western Australia's icon fish, the dhufish, costs \$70 a kilo. The price we must pay for it is appalling. I have not gone into the price that the fishermen receive for their product. It may be similar to the beef industry, where farmers get \$1.80 a kilo if they are lucky, and the little butcher shop, which struggles far more than IGA, Coles or large supermarket chains, charges up to \$37 or \$38 a kilo for sirloin steak. It is unbelievable. Where are we going wrong?

Mr D.T. Redman: Do you know that we export 60 per cent of all we catch, and we eat what we import?

Mr G. SNOOK: There is a huge disparity there. When regulations come through on all aspects of food production they impact on growers and producers. We can forget about all the other costs such as fuel, electricity, wages and everything else. In my short time here I have experienced that when we make laws in this place through the process of democracy, not enough scrutiny and not enough consideration is given to the impact of those laws. When regulations 3 and 10 become law they will have an impact. I am sure my colleagues the member for Bunbury, who I am sure has fishermen in his constituency, and the member for Warren-Blackwood, will be able to vouch for this. That is what we are doing when we do not pay enough consideration to these seemingly well-intended, well-meaning regulations. In most cases all of us think they are needed because we must sustain the stock, which is the priority. However, we must be very careful that by doing that we do not lose the capacity to sustain the provider, and the producer—the fishermen in this case. There is an unmanaged fishery in what is generically called the south coast fishery. That means that there is no formal management regime. There are size limits, but there are no reduced numbers or unit applications that can be used to restrict fishing.

Mr D.T. Redman: Do you agree that the south coast should be treated differently from the west coast because of different growing conditions?

Mr G. SNOOK: I do. The problem is that the Department of Fisheries is under-resourced in a whole lot of areas. I have great respect for the people in the Department of Fisheries who function under the conditions they face, but there is a lack of inspectors and a lack of research capacity. Some of the department's research capacity is world renowned. I have known those scientists for 34 years of my fishing career. They have done a wonderful job. Western Australia is a world leader in the rock lobster industry. We have a bit of trouble now. There is a debate about whether that is caused by climatic conditions or a series of variabilities in puerulus settlement for the rock lobster industry. There is a lot of pain in the rock lobster industry, but it has experienced pain before. I have experienced very poor years. As is the case with agriculture, it waxes and wanes but we get through it.

Getting back to the point, we must be very careful about how we make decisions in this place, so that we do not inflict that last bit of pain and people put the shutters down and say it is too hard.

If that happens, and if we are not fully aware, both as a government and as an opposition, of the impact of our decisions on people, we will not be doing our duty, and we will not be doing the responsible thing to do.

I am sure all of us in this place would stand shoulder to shoulder to ensure that locally grown and produced fresh food—in this case fresh fish—is available for Western Australians to consume. We need to consider this matter in that context. I reiterate that we need to put in place good management and good regulation to ensure all our fish species and fisheries are sustainable. However, we also need to ensure that our fishermen are sustainable. My colleague the member for Bunbury will highlight the case of two of his constituents who have been in the industry for at least 30 years. They are probably second or even third generation fishermen. Those two constituents did a presentation for me and the member for Bunbury in my office. These people are the salt of the earth. They work long hours. They do not have the skills of presentation and argument. They just put it as it is: they are going broke. They can either borrow another half a million dollars and buy more units in the case of the shark fishery, or they can wind back, put up their hands, say it is all too hard and shut shop.

When the regulations were imposed and the effort reductions were put in place, not enough thought was put into the impact of that on those fishermen who will be left in the fishery. Sadly, there was an inequity when it came to the impact of those regulations. People need to understand that in many licensed fisheries, there is an inactive

Mr Gary Snook; Mr Paul Omodei; Mr John Castrilli; Mr Paul Papalia; Mr Murray Cowper; Deputy Speaker; Mr Fran Logan; Mr Grant Woodhams

component; that is, some licences are not very active, some licences are moderately active, and some licences are fully active. That has been the situation historically. When the reductions were made to the gear units, there was an across-the-board, or one-size-fits-all, application of those changes. That meant that some people were hit harder than others. I am sure that when the member for Bunbury makes his address he will explain the impact of this on his constituents in Bunbury.

In my opening comments I expressed my concern about the powers that are given to the Minister for Fisheries. I am not personally attacking the current Minister for Fisheries. However, the Minister for Fisheries is given considerable powers under the act. The minister can take action under section 43 of the act simply by making a ministerial decree or decision. The minister has exercised that power in the case of the west coast bioregion fishery. The minister obviously did that with the best intent and advice. However, it appears to me, from the way in which the minister has applied his capacity to put in place these restrictions, that he has not been told by the fishermen themselves about the impact that these restrictions will have on them. These fishermen are not saying, "Don't touch us. Go somewhere else. Don't affect us." They are saying, "Yes, there is a problem, and we need to reduce the effort." However, they are also saying that the way in which the minister has imposed these restrictions is not equitable, and it will not result in the outcome that they all desire, which is to reduce the effort and the take, but in a way that is fair and will enable all the fishermen in the industry to remain economically sustainable.

I will give members an example of what I am saying. The minister has brought in a couple of restrictions for the west coast bioregion fishery. When the minister brought in the first restriction, he said that based on the science and the advice from the department, the fishery was in strife; therefore, all commercial fishing between Lancelin and Binningup should be closed to save the dhufish, the snapper, the baldie and the breaksea cod, because these species were in trouble. In my view, the minister may have had the right intentions. However, that meant that all the wetline fishermen who fish in that area—there is not a great number of them—had to go somewhere else. Therefore, all they did was relocate their effort. They just pulled up stakes and relocated their effort, because they wanted to stay in the business. That has created a distortion of effort in another area. However, in the case of the west coast bioregion metropolitan zone, no action was taken against the recreational component of the fishery. I do not want to start this argument; however, it is an issue. These new restrictions that the minister is bringing forward are being debated in the community. My computer is being swamped with emails from the recreational sector, from fishermen, from boat and tackle operators, and from boat sales people. The member for Warren-Blackwood is probably getting the same emails. They are coming from people from Geraldton right through to Albany. World war four is about to break out in that area!

A debate is also taking place about how we can achieve a good result. In my view, without going into this matter in depth, if we keep going the way we are going, we will not achieve a good result, because these restrictions will still allow for the continual growth of effort in the recreational sector. We all understand that there has been a reduction in the commercial fisheries for a number of years. I have quoted the shark fishery, and the fact that since 1997 there have been severe gear reductions in that fishery. We really need to revisit the process of determining what action we should take. We need to consider the fact that the main aim of the commercial fishing sector is to retain its capacity to produce fresh local seafood for consumers, while at the same time looking after the environment and sustaining the fishery. We in this place need to have the courage to make the tough political decisions, while at the same time considering the impact of those decisions on the recreational sector. I had a saying when I was a fisherman —

Mr F.M. Logan interjected.

Mr G. SNOOK: I know, but the reality, minister, is that in the commercial fishing sector, they have a lot of boats but no votes; in the recreational fishing sector, they have a lot of boats and a lot more votes!

Mr F.M. Logan: You hear the opposite from the recreational sector.

Mr G. SNOOK: I know the minister is having a go at me, but I am trying to take a balanced view. I am trying to be reasonable, balanced and proactive about this. My message is about what we do in this place with regulations. Regulations come into this place, and they are laid on the table, and they become law the minute they are gazetted. Therefore, these regulations are in place now. A lot of fishermen do not understand that a disallowance motion achieves nothing unless it is carried. Therefore, we have a problem. I am imploring members of this house to consider seriously the impact of these two regulations on those fishermen in the southern zone or south coast fishery. Those fishermen get only a moderate income from fishing. Those fishermen do catch sharks, but not very many. They have informed me that they would be lucky to catch a few sharks a week. In fact, they would catch two or three sharks a day at the most while they are catching their wet fish. They say that that restriction on catching sharks is not going to save the shark species. That is particularly because of all the good

Mr Gary Snook; Mr Paul Omodei; Mr John Castrilli; Mr Paul Papalia; Mr Murray Cowper; Deputy Speaker; Mr Fran Logan; Mr Grant Woodhams

work that is being done. I am informed that the science is proving that a recovery is taking place in the shark species because of all the good work that has been put in place. That is the information I am getting.

Mr D.A. Templeman: Who is telling you that there has been a recovery, as you claim, in those particular species?

Mr G. SNOOK: The fishermen are claiming that.

Mr D.A. Templeman: The science is saying the opposite.

Mr G. Snook: I am not sure about that, minister.

Mr D.A. Templeman: I know I am taking some of your time, but this goes to the crux of the problem. A lot of toing and froing is taking place within the industry in the viewpoints that are being put. However, at the end of the day, we must accept the science. The science is indicating that not just in shark species, but across a range of species, we are at a critical time in the sustainability of our fisheries for the future.

Mr G. SNOOK: There is no question about that.

Mr D.A. Templeman: We can come into this place and debate a range of things. However, we need to accept the fact that the science is telling us that a range of species are in grave danger. Ultimately, it is about whether these species will exist in our marine environment in the future.

Mr G. SNOOK: I have no truck with the minister about the wet fish, the dhufish, the snapper and all those species that from all the indications are in strife. I believe that; I have seen that for myself. There is no question and no argument about that. However, we are talking specifically about the shark fishery. I am not quoting the department or the science, but I have information from the industry that in their view—remember, they want the fishery to be sustainable—and based on the research they have done, there is a noticeable recovery in stock in a number of shark species. I do not think that is a throwaway line. That is what the fishermen are telling me. I would hope, and the minister would hope, that that is the case. The stock has not come back to where it was, but there has been a lift in the number of sharks in the west coast bioregion. That is because of these general regulations. When I say general regulations, I am not talking specifically about regulations 3 and 10, because they relate only to those fishers who are not licensed to take shark. The minister would understand that. Regulations 3 and 10 say that the minister and I, hypothetically, as south coast fishermen or west coast fishermen, can catch wet fish, scale fish or demersal fish, but not shark. The shark fishermen have said that they have noticed that the stocks are improving. That is all I am saying. I cannot back that up.

Mr P.D. Omodei: On the south coast or the west coast?

Mr G. SNOOK: On the west coast. I do not know whether that is because of the restrictions on the ability of fishermen to catch sharks, as I had the capacity to do when I was a crayfisherman. That has finished. That must have had a big impact, because it has stopped. Hopefully, the international foreign fishing effort has been reduced as well and we are not seeing a repetition of those fishermen throwing away fish carcasses. I hope that this government will ensure, through joint management arrangements, that we keep our eyes on the foreign fishing efforts and intrusions into our fishing areas. I refer in particular to the shark fin matter that has been in the media recently. That is a real concern. I request that the state government turn a sharp eye to what is happening in that regard. If the stocks are recovering, I argue that under regulations 3 and 10, and given the impact on the south coast fishermen, who earn meagre incomes and have only a minimum impact on the fish stocks, the fishermen should be allowed to catch a restricted number of sharks. They could be allowed to catch two sharks a day. We all know how rotten the weather is on the south coast. It is wild and limiting in itself. That is one of the reasons that the Department of Fisheries, because of its reduced capacity and lack of resources, has not put the south coast fishery under a management regime. There has been a natural limiting impact. However, not enough research is being conducted into that. I want the parliamentary secretary representing the Minister for Fisheries to give me the latest accurate data and results of the assessment of the stocks of the shark fishery. There is no argument about the dhufish or the wet fish—we are in strife.

Mr P.D. Omodei: It is dhufish, cod and snapper.

Mr G. SNOOK: Also baldchin groper. There is no argument that something serious must be done about the impact of recreational fishing. Good luck to the government in working that out because judging from the emails that members of the government and I have received, the pin of the grenade has been pulled. It is a tough gig. As a member with fishing experience—I am probably the only former commercial fishermen who has been a member of Parliament—I contribute what I know, for what it is worth, in good faith. We must take tough measures. It will hurt and it will impact on businesses. I live in a coastal town and I do not want to see jobs lost. Members must look at what has happened to people in the fishing industry. In zone 2, around Esperance, there are seven operators in the wetline industry—that is all. Zone 1, the Windy Harbour to Mandurah zone, which

Mr Gary Snook; Mr Paul Omodei; Mr John Castrilli; Mr Paul Papalia; Mr Murray Cowper; Deputy Speaker; Mr Fran Logan; Mr Grant Woodhams

impacts on the member for Bunbury's electorate, has only seven operators. Zone 3, which is the west coast bioregion up to Shark Bay, has just three operators.

Last Sunday morning there was a knock on my door. My old crewman, who worked with us for four years many years ago and who is a wet fisherman—he never went crayfishing because he could not get into the game—told me that he is livid because he has struggled to make a quid as a wet fisherman with a crumby 30-year-old crayboat that I would not use for crayfishing, let alone for wet fishing. He anchors his boat 25 miles out on the bank every night and he ducks all the steamers that go up and down the coast. He then goes out another 250 metres outside the restricted zone. He is developing a fishery of three new species. He has worked out how to catch the fish that live with the tides in that depth of water. The seabed out there is like a flat desert. I have seen it. There is not much differentiation in the ocean floor where the fish congregate in areas of coral and changes to the depth of the seabed. He has learnt the trick to finding the banded cod and other species that I had not even heard of. From the end of July, he will be banned from fishing there because it is being closed. No-one knows anything about it. The Department of Fisheries knows nothing about it. A lot of fishermen in Geraldton are doing the same thing. They are exploring and developing new species in deeper water. He told me that the department is stopping him from fishing there. That is really tough because he cannot make a living from fishing in the shallow waters, which are from the beach to 40 fathoms out. He cannot make a quid. As a responsible fisherman, like most fishermen are these days and always have been, he tries to farm his ground. They do not wear it out. In other words, fishermen know that they can get fish off a coral lump; therefore, they do not work it to death by taking every single fish. They hit it and leave it for a few days. I do not want to sound as though I am bashing recreational fishermen, but now they have the capacity to obtain the best electronic echo-sounding and depth-sounding equipment. With the press of a button their position can be recorded and they can get within a few metres of that position every time they go fishing. They will go straight to that position, catch their fish and go home.

The game of chance has diminished from the fishing industry. It has become a precise science. I want recreational fishermen, like my colleague the member for Murray and his kids to be able to continue to catch a feed of dhufish. I know that the government is well-intentioned, and I support the direction in which it is going. However, if we do not make good decisions in this place that give a better balance than what we have currently, the result will be twofold. Firstly, there will not be any professional commercial fishermen out in the ocean catching fish for people's Friday night feed. Secondly, there will not be the capacity for the average mums, dads and kids to have the thrill of catching a dhufish, snapper or baldy. If we do not closely watch what is being done, both those examples will be lost.

Mr D.A. Templeman: Do you support the minister's move with regard to the limitation of the key iconic species?

Mr G. SNOOK: I support the move to protect them.

Mr D.A. Templeman: Do you support the proposal —

Mr G. SNOOK: For the closures? The October to Christmas closure and then the February to March closure? I do not think it will work. I know what the minister is trying to do, but I do not think it will work.

Dr K.D. Hames: In your answer will you quote the suggestion that was emailed to you that the first dhufish that are caught must have clamps on. I think you got that email.

Mr G. SNOOK: Yes. There is a range of different ideas and measures. I started as a kid in Jurien Bay going out with my father in a lousy clinker dingy and we would catch all the dhufish we needed. We would stop at about three or four and catch a couple of snapper and then return home. That was in the 1950s. We had the old kero fridge. We would get sick of dhufish and snapper. It would be too windy for a couple of days and we would eat the dhufish and snapper that we had caught and give away the kingfish to the neighbours. We did not eat kingfish. Patties can be made out of them, but we would give them to the neighbours. We would then go and catch a few herring, but that can no longer be done in Jurien Bay, Ledge Point or Green Head or, for that matter, the metropolitan area where that went by the board 60 or 70 years ago.

Mr M.J. Cowper: You can't do it at Wedge Island.

Mr G. SNOOK: That is right. Why? What happened? It is because recreational people, like my family, cleaned out the easy to get to parts of the bays in the 1950s and 1960s. Members should remember that crayfish were not fished out of Jurien Bay before 1954. At that time there were fishing industries in Geraldton, Fremantle and Lancelin, but there were big gaps in between. We were well on the way to reducing the fish numbers from that time on. Then the tsunami of others came onto the coast and they wanted to do what we did. They believed they

Mr Gary Snook; Mr Paul Omodei; Mr John Castrilli; Mr Paul Papalia; Mr Murray Cowper; Deputy Speaker; Mr Fran Logan; Mr Grant Woodhams

should have been allowed to do it because we did it, and good on them. Now we find ourselves in this position, combined with the commercial effort that I ironically got into from another angle. I helped do it.

Mr D.A. Templeman: You are responsible!

Mr G. SNOOK: Seriously, we have to work based on the knowledge we have and make the difficult decisions. The minister asked whether I support the fact that something needs to be done. Yes, we need to do something. Let us not make a decision that appears to be doing something and achieves very little.

Mr D.A. Templeman: Have you made a submission to the current proposal?

Mr G. SNOOK: No, not as yet.

Mr D.A. Templeman: Are you going to?

Mr G. SNOOK: I thought about it and wondered whether in my position and with my experience I should do that. I have reached the conclusion that I should not.

Mr C.J. Barnett: You are dead right. This government seems to think that members of Parliament should make submissions to inquiries. This is the Parliament.

Mr G. SNOOK: That was my decision.

Mr D.A. Templeman: The argument is that you don't like aspects of what is being proposed, but you are not putting forward any suggestions to reach a solution. It is appropriate for someone with your experience to do that.

Mr G. SNOOK: I am happy to tell the minister now. Making those closures will have some impact, but it will not achieve what we want to achieve. It is like closing the west coast bioregion to commercial fishing. All it did was relocate the effort. It will help in this instance, but it will relocate the effort. Fishermen have big rigs now.

Mr F.M. Logan interjected.

Mr G. SNOOK: Shark Bay was different because there was a trap fishery there.

Mr F.M. Logan: The recovery worked.

Mr G. SNOOK: The recovery did work.

Getting back to the minister's point, we need to have a tag system for recreational take. We have to accept that there will be pain. The tackle and boat sales people are telling me that if the fishery is closed during those times, which is their peak time, they will be put out of business. I am not saying they are right or wrong or doing it for their own political reason. I will not go there. That is their peak time. If the fishery is closed at those times, everyone stops buying goods—boats, lines, sinkers and bait.

Science should be able to tell us what the take should be. The government is hoping to achieve that take by creating these closures. It will relocate the effort. The people catching the iconic fish have \$100 000 boats with modern echo sound equipment. They do not muck around anymore. It is costly. I am not saying they should not do it, but that is the reality. With today's technology they have that capacity. I have been pulling my pots over good ground and they have slipped across in front of me and pressed their GPS or marker and, bang, they have the spot. They do not need a flash echo sounder. When I have shifted away from my line of pots and taken the gear away, they come in behind me and start fishing. They are keen. The fish do not have a show.

The commercial fisherman is in the industry because he owes the bank money and he has to make a quid. That is all that he has. He will not destroy or fish out that lump. People in the fishing industry know that if they do that it creates havoc. The recreational fishermen are fishing on the weekend and they might have only one day and with the gear they have they go straight to the lump and make sure that they get their bag limit. They do not muck around, because tomorrow the wind might blow and they will not be able to get out. That is the reality of it and we cannot blame them; it is a fair go. That is what we would expect them to do.

We must ask the scientists and the experts to accurately demonstrate what the take should be and then put in place a measure of application to reduce the effort to what is workable. To give everybody a fair go we must be able to say, "This is what you can take." The bag limit is supposed to achieve that, but it is not achieving it because that is being heavily offset by the extra 2 000 boats that are coming onto the market. They are not all fishing boats; some are jet skis, rowboats and dinghies. We all know that those extra boats include six-metre runabouts with 300 horsepower motors. We must have an efficient system. I believe that a tag system is one way to go.

Dr K.D. Hames: As you know, 75 per cent of the ones we try to return die.

Mr Gary Snook; Mr Paul Omodei; Mr John Castrilli; Mr Paul Papalia; Mr Murray Cowper; Deputy Speaker; Mr Fran Logan; Mr Grant Woodhams

Mr G. SNOOK: We need to also give —

Mr D.A. Templeman interjected.

Mr G. SNOOK: We are all aware of what happens to fish when they are dragged up from the depths either by hand winch or a good rod. Rock lobster fishermen get hardly any dhufish as by-catch, but they catch a few baldies and a few —

Mr M.J. Cowper: Wobbegongs.

Mr G. SNOOK: Yes, a few breaksea cod and the occasional snapper. They very rarely catch dhufish. The species that are ripped up with the hydraulic winch cover 60 fathoms in a minute and a half or two minutes. When they come up, their eyes are sticking out and their windbag is hanging out of their mouths. The crayfisherman must throw them back or cop up to a \$25 000 fine. He is not allowed to eat them on his boat; he must throw them back and watch the sharks come around. No wonder the sharks are breeding up.

Mr D.A. Templeman: That is according to the information you have. If you have verified information, I would love to see it.

Mr G. SNOOK: It is only from industry. I ask the parliamentary secretary —

Mr F.M. Logan: I am the minister representing; I was once the parliamentary secretary.

Mr G. SNOOK: I mean the minister representing, I am sorry. He does not want the job of parliamentary secretary! I do not blame him. The minister spoke about a good decision aimed at reducing the impact on those iconic fish. They stop crayfishermen from catching those fish. It is a travesty; it is a joke; and it is stupid. It will not save the dhufish species. The minister should have said to every crayfisherman, “Here is your limit,” and made it a little bit under the bag limit for recreational fishermen. Let the fisherman take a feed home, for goodness sake. Let him eat the by-catch. He is not even allowed to use it for bait. It is illegal to put that tiny little rock cod in the bait box, which we do because when it comes to the surface its eyes are sticking out.

Mr F.M. Logan: Do you honestly think that the minister does not know what goes on?

Mr G. SNOOK: In what way?

Mr F.M. Logan: Do you think that is all the fishermen bring up—just a tiny little bit of rock cod? You are not saying that they are not out there fishing as well? It is all by-catch is it? They get fish stocks as well as taking the crays.

Mr G. SNOOK: Yes, but I am saying that is stock.

Mr F.M. Logan: Do you think we have not been out to the Abrolhos and seen that?

Mr G. SNOOK: I have never been to the Abrolhos.

Mr F.M. Logan: We have, and we know exactly what they take.

Mr G. SNOOK: That is not what I am saying. The minister should not misread me. I am saying that rock lobster fishermen should be prohibited from commercially catching fish for sale. I have said that publicly before; it is not a problem. All the rock lobster fishermen I speak to just want to be allowed to catch a feed. At worst, they would like a bag limit less than the recreational fishermen, but let us take a feed of fish home, for crying out loud. It can be limited. If we break the rules we will cop the stick. That is reasonable, but what the minister has done is absolutely silly, because it will not save the iconic species of fish. That is a fact. The rock lobster industry should be able to catch a limited number for personal use, but not for sale. There are issues with that because they are licensed fishermen and can commercially sell their product; therefore, the government should change the act or the regulations—make it fit. It is not that hard.

Mr M.J. Cowper: Do they get there often?

Mr G. SNOOK: I do not know; probably not. This is a very interesting issue. I had hoped today to highlight some of the areas of concern that are expressed in the commercial and recreational sectors about the impact of the decisions which are supposed to be made with good intent but which fail miserably. Time will prove that, in many cases, the decisions we made were misdirected. The minister has made misdirected decisions. In this case, a number of wetline fishermen in my electorate have been severely financially disadvantaged because of the reductions they have found themselves facing in the west coast bioregion due to the wetline fishing reduction. Fishermen have various licences; for example, they can have an inshore net fishery licence for mullet and a wetline licence for deepwater fishing. Due to the criteria that applies to the area in which they are eligible to catch their fish, they miss out and are out of business; they have to find something else to do. That is grossly unfair, and the compensation is paltry. I urge the house today to agree with this disallowance motion that refers

Mr Gary Snook; Mr Paul Omodei; Mr John Castrilli; Mr Paul Papalia; Mr Murray Cowper; Deputy Speaker; Mr Fran Logan; Mr Grant Woodhams

to Fish Resources Management Regulations 3 and 10, which impact on those south coast fishermen, who just need a fair go.

MR P.D. OMODEI (Warren-Blackwood) [5.45 pm]: I will keep my remarks to a minimum because I know a number of other members want to make a contribution to this debate. Members on both sides of the house want to see the fishing industry sustained, whether it be commercial or recreational. The Minister for the Environment mentioned something about the science involved. Obviously, the Fisheries Department conducts reviews of fisheries, but the act requires that every commercial fisherman provide data to the Fisheries Department. That is where a lot of the data already comes from. The main message I want to send to the minister representing the minister, and to the minister, is that there is extreme concern in the community, whether it be the recreational fishing group or the commercial fishermen, that the minister is not prepared to consult properly with those groups. It is becoming a matter of real concern because it is becoming a hallmark of the Labor government in Western Australia to ride roughshod over people regardless of what walk of life they come from. In the end, the government will suffer at the polling booth as a result.

As I said, everyone wants a sustainable fishing industry in Western Australia whether it be the recreational or commercial fisheries. However, it is wrong to apply the regulations that apply on the south west fishery to the south coast. If the minister or the minister representing would like to visit my fishermen at Windy Harbour he will see the situation for himself. I have asked the Minister for Water Resources to come down, and I want the Minister for the Environment to visit the Donnelly river to look at the huts down there. That is the minister's role; he should not send down a bureaucrat under some kind of sanitised arrangement whereby there is an ad hoc application of rules and regulations in the state. That is what makes people angry. As the member for Moore rightly said, these commercially small fishermen on the south coast are not raping the environment. That whole fishery must be treated totally differently from the fishery on the south west coast. The south west fishery zone extends from around Tims Thicket, 33 degrees south to Black Point east of Augusta 115 degrees, 30 minutes east. The level of fishing effort in waters adjacent to Augusta-Margaret River and other important centres will be capped, and the catches will be managed by targeting the catch levels.

Everyone knows those industries on the west coast and further north must be rationalised due to the danger of extinction of dhufish, snapper, baldchin groper and breaksea cod. Four species are seriously under threat. There is a measure of support for rationalisation of that industry. However, it is how that rationalisation is done that is important to those people.

Last Thursday night a meeting organised by Hon Barry House was held in Margaret River for recreational fisherpersons. It was one of the best public meetings that I have ever been to. More than 100 people attended. Officers from the Department of Fisheries were there, as were representatives of the minister's office. It was very well conducted. People knew that an issue needed to be addressed and they were prepared to make a contribution. The time limit for submissions was extended by one week to satisfy those people. During the meeting it was acknowledged by the fisheries department—the minister's people did not have much to say—that certain issues needed to be addressed. It would have been great to see the minister there. Every now and then a minister of the Crown has to take some flak. That is what they get paid \$220 000 a year to do. People want to see their representative at the senior level. They are conscious of the shift of effort into the south coast fishery because of the limitations that will be placed on the south west coast fishery. I have a copy of a letter written to the minister in July 2007 by Marcia Johnson from the South Coast Commercial Fishing Group. It is a very short letter, which reads —

We are traditional wetline fishers who wetline for a living. We are not big operators but are satisfied with the lifestyle we have. We have always taken a few sharks as part of our catch. Since you banned us from taking sharks as part of our catch under the Sharks and Rays legislation —

Regulations 3 and 10 —

. . . we are finding it hard to survive. It seems grossly unfair for you to determine that recreational fishers have a bag limit of 2 sharks and it is illegal for us to catch sharks at all.

All of the product that we catch is sold to the community who don't go fishing. We raised this issue with our local politicians and they have moved a disallowance . . .

Would you please agree with this disallowance or at least to the extent that the legislation is amended to enable wetline fishers to take a bag limit of at least three sharks per day.

Your consideration and agreement of this matter would be appreciated . . .

We talked to these fishermen; I know them all reasonably well. Windy Harbour is a unique area. It is a little hamlet. People can take out annual leases and in some cases 20-year leases. It is on crown land and it has a

Extract from Hansard

[ASSEMBLY - Wednesday, 7 May 2008]

p2626b-2644a

Mr Gary Snook; Mr Paul Omodei; Mr John Castrilli; Mr Paul Papalia; Mr Murray Cowper; Deputy Speaker; Mr Fran Logan; Mr Grant Woodhams

camping area and a tiny fishing component. In January, a good effort for a fisherman fishing off Windy Harbour is to get out to sea five times. It is often less than that. That in itself limits how that fishery operates. The weather in areas adjacent to the Southern Ocean can change in 20 minutes. There is a little island about five kilometres off the coast of Windy Harbour called Sandy Island. Between the coast and Sandy Island, the sea can be turned into white water in 20 minutes. The recreational fishermen and the professional fishermen often have to fish around the back of the island. They can be involved in some very hairy situations. I have been out there a few times. When there is a big swell and the fisherman's boat dips down into the bottom of a wave, he cannot see the Point D'Entrecasteaux lighthouse, which is on top of a 300-foot cliff. That is the kind of sea that is out there.

Some of these people have operated in this area for 30 to 40 years. One of those fisherpersons is Judy Dittmer, whom I have known for most of my life. She is one of those salt of the earth people, a registered nurse who served as a nurse during the Vietnam War. She has worked at nursing posts as well as doing some fishing at Windy Harbour. She has spent a lifetime in that area. These people will not rape the environment or waste the resource willy-nilly; they are genuine people. When we went down to that area with the member for Moore, we met the whole group. They asked us to make a submission to the minister. I do not want to be unkind to the minister; if I attack him too hard, he might take it out on my fisherpersons. I do not want him to do that. The level of concern expressed by those people about the way they were treated was extreme.

I know we have to use science but we also have to use local knowledge. When a person gets swamped at Windy Harbour and a search boat has to be sent out to rescue that person, who do people turn to? They turn to the local fishermen. If a body is washed up, the fishermen can tell where that body will be in a couple of days. Nine times out of 10 they are correct. If these regulations are applied to the south coast fishery, all those small people will go broke. Judy fishes in the area that is designated as the fishermen's area of Windy Harbour. She has an annual lease. Sometimes it has been converted to a 20-year lease. She is granted that tenure while she is a professional fisherwoman. She has spent a lifetime there—40 years. This is a person who served the community of Western Australia above and beyond the call of duty. If that wetline fishery effort shifts from the south west coast or around from some of the other fisheries to the south coast, it will put those people out of business, the house that Judy has lived in for over 30 years will be taken away from her and she will be required to move under the law. I would obviously fight that to the death because her case is unique. There is a range of other fishermen who have been there for a long time as well. I have a personal friendship with Judy. Obviously, everybody would have to be treated equally. If the minister or the minister representing the minister went down to that area with some people from the fisheries department, they would gain at first hand the local knowledge that can be applied to any changes that need to occur. As was stated in the letter I read out, a recreational fisherperson is allowed to take two sharks. The commercial fishermen who provide the fish to the local community and the community generally in Western Australia are not allowed to take a couple of sharks. The sharks that are protected are dusky, sandbar and whiskery sharks. The carpet sharks are the ones that the fishermen usually get. These are scale fishermen, wetline fishermen. Those couple of sharks are probably the product that pays for the fuel. We all know where the price of fuel is going.

I am not concerned just for the fishermen. When I was at the meeting the other night, I put a question to the fisheries department officers about the shift of effort. They said that that matter had not been taken into account. It needs to be. The fisheries department carries out research every 12 years. It is not adequate. More money has to be put into that area so that science provides accurate information. It is vitally important. We can dismiss these things. People criticise the large commercial fisheries, with some justification. There is a lot of wastage with some of those factory fishing ships that operate east of Esperance. The recreational fishermen see it and they criticise it. These commercial fishermen make a living out of the fishery. They provide fish to the real fisherperson, the Western Australian housewife, who goes to the fish shop or the local fish supplier and buys exactly what she needs to feed her family. It is very much unlike the recreational fisherperson.

It is political suicide to go out and say that recreational fishermen are raping the resource. There is no doubt that recreational fishers have been guilty of overfishing. We should bear in mind that for the recreational fisherpersons, by virtue of the fact that it is their pastime, it is a recreation. A limited number of people benefit from the recreational fishermen. As has been said, new technology is available, not just new GPS and ecosound equipment but new bait that virtually catches anything. These things have a huge impact on the resource. The government has to make some hard decisions in relation to rationalising the recreational fisher. When we come to the south west coast and the south coast, even the recreational fisherman is affected by the weather, which can limit the number of times he can get out. All of those things need to be taken into account. I say to the acting minister that we are not raising this issue for a political purpose. We are raising the issue because we were approached by a group of concerned people who will lose their livelihoods. If the resource is going to be rationalised, particularly for the commercial fisheries, there has to be compensation and it has to be based on fair and just means. If we do not have that, we will send a lot of people to the wall, and that will affect local

Mr Gary Snook; Mr Paul Omodei; Mr John Castrilli; Mr Paul Papalia; Mr Murray Cowper; Deputy Speaker; Mr Fran Logan; Mr Grant Woodhams

communities and it will affect people who like to eat good clean Western Australian fish rather than fish that has come from overseas.

If we take this issue to its logical conclusion, the same thing is happening with our farmers in this state and in this country. Slowly but surely they are being ground into the dirt at the expense of imported products. If members of the public who consume those products knew where they came from, they would not buy them. The Minister for Fisheries has not consulted to the extent that he should have consulted. I implore the government to talk to the people who have lived and breathed that way of life for more than a generation. That is fundamentally important. If the government agrees to this disallowance, it can draft a more appropriate regulation. The government cannot treat the south west coast fishery and the west coast fishery the same as the south coast fishery. I implore the government to consider the pleas of wetline fishermen on the south coast.

MR G.M. CASTRILLI (Bunbury) [6.02 pm]: I support the member for Moore's disallowance of the fish resource management regulations. He covered the issue extremely well. He obviously knows what he is talking about. I absolutely support the sustainability of our fisheries. I will refer to two fishermen during my contribution, two fishermen who also support the sustainability of our fisheries. If they did not, they would not be in the industry and they certainly would not have a job tomorrow morning.

Any change in the management of our fisheries industry must be fair and equitable to all. If there has to be a reduction in the areas and times that fishermen can fish, it must be done so more equitably. If any change to the management of our fisheries through regulations severely impacts on the financial capacity of fishermen, they must receive fair, equitable and just compensation. I will refer to two shark fishermen in my electorate who fish in zone 1. They are second and third generation fishermen. The change in the management of our fisheries has caused them and their families severe financial and emotional hardship. Their livelihoods have been dramatically affected and unfairly impacted on. Both men had businesses that were worth in excess of \$1 million. I am not sure what those businesses are worth today. The men employ staff, pay their taxes and add to the economy. Indeed, as was mentioned earlier, they provide fresh products in the food chain. The licence of one of the fishermen was revoked for two months in 2006 by the Department of Fisheries in an attempt to protect shark stocks. As I understand this issue, the restrictions affect fishermen differently. The impact differs depending on the licence holder, his previous activity and his dependence on the shark catch. The licence of one of the fishermen allowed him to fish 239 days of the year. Now he can fish for only 127 days a year. Members can imagine the impact that that has had on his business. How will he sustain his business and pay his crew? As the member for Moore said, how will he and other fishermen afford to pay their mortgages? The licence of the second fisherman enabled him to fish 297 days a year. Now he can fish only 110 days of the year. That is a 63 per cent reduction in the number of days that he can fish and a 130 per cent reduction in his net income. The Department of Fisheries has stated that it was advised to implement the restrictions by the commonwealth. The feds have said that the matter is wholly and solely the domain of the Western Australian Department of Fisheries. This issue stems back to August 2006. The Western Australian Department of Fisheries is blaming the commonwealth department and vice versa. I understand that the fisheries are jointly managed.

The two fishermen in my electorate to whom I have referred told me that they and the commercial fishermen in zone 1 are not solely to blame for the reduction of stock. The illegal fishermen who have been poaching and trawling in that zone have also had an impact. The member for Moore clearly outlined what he saw years ago west of Cervantes, which is probably still going on.

Mr P. Papalia: Not in that location.

Mr G.M. CASTRILLI: It could be going on in other locations.

Mr P. Papalia: We have a far more effective operational patrolling system than we had in the 1980s.

Mr G.M. CASTRILLI: Yes, I know. I will touch on that later.

Both of the fishermen to whom I have referred met with the Minister for Fisheries and representatives from the Department of Fisheries in 2006. They outlined the seriousness of their situation. Importantly, they also outlined the inequities of the changes. They outlined the inequity in the allocation of the number of days per unit per annum between the zones and the fisheries. The west coast fishery operates on 24 days per unit per annum. The two fishermen to whom I referred fish in the southern fisheries zone 1. They are allowed to fish only 11 days per unit per annum. Those who fish in the southern fisheries zone 2 are allowed to fish 19 days per unit per annum. Another inequity is in the allocation of the number of days per unit per annum to individual fishermen irrespective of how long they have been fishing. Further inequities include the closing of seasons—some zones are closed while others are not—and the ban on wire traces, with some shark fisheries banning them when others are not. The changes were made in response to the over-fishing of certain species, such as the whiskey, dusky

Mr Gary Snook; Mr Paul Omodei; Mr John Castrilli; Mr Paul Papalia; Mr Murray Cowper; Deputy Speaker; Mr Fran Logan; Mr Grant Woodhams

and sandbar shark. There is no argument that action needed to be taken. What is objected to is the inequities forced on individuals.

In December 2006 one of the fishermen wrote a comprehensive letter to the minister outlining the inequities. Importantly, he also outlined ways to solve the inequities and to achieve sustainable shark stocks. Both gentlemen have received act-of-grace payments which, in my opinion and their opinion, are grossly inadequate. The accountant of one of the fishermen compiled a spreadsheet and calculated that the fair and just payment should have been at least five times more than what he received. That would have enabled him to purchase additional units, which would have allowed him to operate at the original levels. I think all those units have been taken up. The minister rejected that and said that the act-of-grace payment was a short-term method of assistance over a three-year period. He said that it was not designed to restore fishing operations to a scale similar to that of the pre-restriction period. He also said that the act-of-grace payments could be subject to tax and that the fishermen would have to check with the tax department. Well, bad luck!

Mr G. Snook: They are taxed 40c in the dollar.

Mr G.M. CASTRILLI: One fisherman, who put a submission to the minister about the real problems, the inequities and the financial impacts he faced, tells me that he made up to 30 phone calls or contacts with the minister's department and that nobody bothered to ring him back—not once!

Nobody disagrees with the principles of sustainability; however, we must also agree on the principles of fairness, equity, and fair and just compensation.

A little earlier, the member for Peel mentioned the policing regime in Western Australia. If members look at a copy of today's *The West Australian* they will see that the Rudd federal Labor government is considering funding cuts that will severely impact on the policing of illegal fishing in our northern waters—and sharks are among the species caught by illegal fishermen. The article is about a program to fight illegal fishing that is now in the sights of the budget razor gang. The article states —

The fight against illegal fishing in Australia's northern waters is emerging as one of the possible victims of Kevin Rudd's razor gang, with speculation mounting that anti-poaching measures have been earmarked for significant funding cuts.

Mr D.T. Redman: It sounds like the federal honeymoon is over.

Mr G.M. CASTRILLI: That may be so. However, I agree with the member for Peel. We have a regime in place that is supposed to protect our fisheries and then we find out about these budget cuts. What does that say about the sustainability of our shark stocks in Western Australia? What does the minister intend to do about that? How will these budget cuts impact on the regulation and management of our fish resources? What sector of the Western Australian fishing industry will get a blast out of this lot; and, I ask, what more reductions are yet to come?

These regulations should be disallowed. We should go back to square one. We need to carry out another and proper round of consultation with the fishing industry. In my electorate, only seven zone 1 wetline fishermen are left. What will be the impact on the availability in our marketplace of locally caught fish? We are going to be faced with imported fish and we all know about the quality of the fish that comes from overseas—that is something for us all to worry about.

If the Rudd Labor government puts the razor gang through our policing in the northern waters, what will that do to the sustainability of our fish stocks? I suspect that we need to go back to square one and start again. We need proper, fair and equitable consultation right across the board so that everybody in the industry, both recreational and commercial, takes a bit of a hit on this so that we can, in the long term, make gains for the industry's sustainability.

MR P. PAPALIA (Peel) [6.13 pm]: Having listened to the debate today, I thought I might make some comment, in perhaps a cautionary sense, about my experiences in the field of fisheries management and about the outcomes I have observed as a result of a lack of effective fisheries management in oceans around the world.

I have listened closely to the comments made by members opposite about the dire impact on businesses and income streams and, therefore, the lives of professional fishermen and their families; particularly those who have engaged in the practice for generations—in many cases out of a love for the lifestyle rather than a desire to earn a high income. I have a great deal of sympathy for those people. I share the respect that the member for Moore clearly has for the professional fishing industry and for those engaged in it. I admire their stoicism in the face of the many challenges in their workplace; challenges that include—apart from the obvious ones—the changes imposed not only by government but also by the diminishing supplies of the natural resource that they rely upon.

Mr Gary Snook; Mr Paul Omodei; Mr John Castrilli; Mr Paul Papalia; Mr Murray Cowper; Deputy Speaker; Mr Fran Logan; Mr Grant Woodhams

Having said that, I have to place on the record my observations about the waters that I have passed through and operated in both as a naval officer and as a commanding officer of a patrol boat.

Today, we can observe the impact of a lack of regulation. As much as it is desirable to allow fisherman who have engaged in a professional practice for generations to continue to have that lifestyle—and as much as I would love to see them able to hand over their businesses to their children and grandchildren—it is a fact that around the world, in locations where there has not been government regulation of fisheries, ultimately, those fisheries have been reduced and, in many cases, completely eradicated. One only has to go a little way north of Australia to the South China Sea to see the effects of unregulated fishing activities. The reason traditional fishermen from Indonesia and places like Roti engage in shark fishing inside the box south of Ashmore Reef and down to Scott Reef is that the fish stocks—including shark stocks—have been completely decimated in the South China Sea. Much of what these fishermen take is for shark fin.

Mr P.D. Omodei: Did you shoot them out of the water?

Mr P. PAPALIA: Member for Warren-Blackwood, I always operated in a completely professional and legal fashion.

The member for Moore will be aware that a legal agreement allows traditional fishing inside the box. Many fishermen go to that area because it is a valuable asset to them that does not exist further north. Generations of traditional fishermen have fished those waters for far more than three generations. Consequently, Australia has an arrangement that recognises the natural right of those fishermen to continue to fish those waters.

I advise the house that—in spite of the shows recently seen on television—I am not aware of any new raid or foreign fishing activity in our southern fishing waters in recent times. There has been, and probably still is, the threat of overseas unlicensed professional commercial fishing in our EEZ—that is, our economic exclusion zone—in the northern waters of Australia. Operation Resolute, a combined agency operation incorporating Australian Defence Force assets and the assets of multiple agencies including the Western Australian and Northern Territory fisheries, customs and Coastwatch services, protects our exclusive economic zone and our borders. I believe that operation commenced on 17 July 2006. Earlier today, the member for Moore took my interjection in which I stated incursions into our EEZ had not occurred recently in the location that the member said that he had observed such incursions. I am not aware of any recent southern water incursions of the scale or size indicated by the member in his speech. When I was a patrol boat captain in 1998, 1999 and 2000, all of the threat activity was in the northern waters to the south and east of Ashmore Reef and right across the north of Australia. Incursions were made into the orange roughly fishing waters, some 200 miles south of Tasmania, by that well-known threat, the New Zealand fishing fleet! However, everything south of the box—Scott Reef in the north west and around to our south coastal waters—was generally not threatened by foreign fishing and, as far as I am aware, no such threat exists today.

I would argue that the technology and the capabilities that we have engaged in the protection of our fisheries today are easily better than anything that we have ever had. Those capabilities have been enhanced by the addition of the newest patrol boats to the Royal Australian Navy fleet built by Austal Ships—the Bathurst class patrol boats. Those patrol boats give considerable expansion of capability over the Fremantle class that I was captain of.

Mr G. Snook: Are they blue water?

Mr P. PAPALIA: Absolutely. They are a much bigger vessel than the Fremantle class. As members are aware, Australia now also has customs patrol vessels engaged in intercepting illegal vessels within its economic exclusion zone and a very much expanded Coastwatch activity. Also, in recent times—during the Howard government and continuing until they commenced Operation Resolute—major war vessels, such as frigates with embarked aircraft, have been engaged in the activity of fisheries and other economic exclusion zone protection. There has been a significant amount of beefing up of activity, which is partially linked to the terrorism threat and partially linked to the entry of illegal immigrants during the late 1990s to early 2000s. The activity engaged in monitoring and containing any illegal fishing activity is as good as, and I believe exceeds, anything to date.

I cannot comment on the newspaper article to which the member referred. I do not believe *The West Australian* has knowledge that members do not have regarding the federal budget. We will wait and see what the outcome is. I suggest that Australian Defence Force operations around fisheries protection will be protected or separated from any impact of potential cuts by the new federal government —

Mr G. Snook: I hope so.

Mr P. PAPALIA: — in regional areas. Possibly Coastwatch activity might be impacted on; I do not know. I cannot understand how *The West Australian* would have any visibility on what will happen; I do not. It might be

Mr Gary Snook; Mr Paul Omodei; Mr John Castrilli; Mr Paul Papalia; Mr Murray Cowper; Deputy Speaker; Mr Fran Logan; Mr Grant Woodhams

speculation. Cuts in funding are always a matter of concern, particularly to professional fishermen in the northern waters, who are always concerned about the degree of capability we throw at that threat and problem. I have not heard that the threat of illegal incursions by other nations into our fisheries has increased. It fluctuates, but as early as the 1970s the Navy has been engaged in intercepting illegal fisheries in the north of Western Australia.

I feel that we must always acknowledge that in the event that illegal fisheries are determined too hard to regulate, there will be a negative, painful effect and impact on those families of fishermen, generations of which may have been engaged in this activity. Ultimately, we will determine whether or not we want a fishery at all. That will be determined across all types of fisheries in due course, because they are all generally being reduced and impacted upon by both recreational and commercial fishing, both our own and foreign. The demand will only increase as the population around the world increases. Many populations are reliant upon fish as a key component of their diet.

Yes, I acknowledge the concerns, fears—and the anger, even—expressed by the member for Warren-Blackwood that those people are feeling and suffering, but I would always urge and argue that they need to consider the common good in the long term. However, having said that, I have a great deal of sympathy for someone whose business is impacted on dramatically in a negative fashion, and I believe that we should always consider compensation in a fair and equitable fashion. I have seen it happen in northern waters, I have seen it happen throughout South East Asia—and even in the Mediterranean Sea—where fisheries have been completely decimated and the oceans do not look like ours; they are a real desert under the water.

MR M.J. COWPER (Murray) [6.24 pm]: I had not planned to speak on this issue, although I do have a keen interest in fishing, having lived in the north of Western Australia for many years and worked previously on cray boats. I have also been involved with game fishing in Western Australia over many years. In the course of those experiences, I have made many friends. One of my very close friends, with whom I have competed in a number of competitions, has made a submission on the minister's papers. I have a copy of the submission before me. Although I regard myself as fairly well-informed about matters that are attending these decisions, I believe that my friend could be regarded as an expert in the field. He does not have any academic degree as such, but he does have a wealth of experience that I do not think is matched by anyone else in this state, which qualifies him as an expert. I will mention this person's name a bit later, but he has made a submission on the ministerial position paper which was released last month, and I will read parts of it into *Hansard*. I am prepared to table this submission.

This person is the proprietor of five well-known retail stores in the metropolitan area, and also in Exmouth. He has worked in the recreational fishing industry for over 30 years and has also written many thousands of fishing columns in publications such as *The Western Mail*, the *Sunday Times*, *Modern Fishing* and *Western Angler* during that period. Over many years his business and staff have actively supported numerous fishing and research projects, including the recent west coast bioregion dhufish and pink snapper studies. He understands the long-term sustainability requirements that the ministerial position paper refers to, and the proposed changes it is attempting to address. It concerns him greatly that several of the changes will have severe social ramifications while failing to achieve the objectives. He offers the following information and suggestions in the hope that the deficiencies of the measures proposed will be recognised and that it will be possible to achieve a better result without the immense social damage we are currently heading towards. I was prompted about this matter by the member for Mandurah, and this submission must be considered as it has a great amount of weight attached to it because of this person's expertise. His submission relates to the 11 recommendations that the minister has asked for comment on. I will commence with the key aspects of his submission. It is a few pages long and I will hopefully get through it in time; but if not, I am prepared to table this submission to reassure the minister representing the Minister for Fisheries that what is in it is not only a view, but also some suggested remedies.

Mr J.E. McGrath: Can you give us a name now, Murray?

Mr M.J. COWPER: The person I am talking of is Hal Harvey. Hal owns BlueWater Tackle-Surf-Dive-Marine stores in Scarborough, Morley, Myaree, Perth and Exmouth. We used to do a lot of game and fly fishing together—all aspects of fishing—and he has written a number of newspaper articles and appeared on television on lifestyle-type programs.

In his role as a fishing journalist, angler, fishing tackle retailer and general angling enthusiast, he has spoken to Western Australian recreational anglers almost every day for the past 30 years and beyond. Mr Harvey states —

I am well qualified to express the hopes, desires and expectations of the anglers, business owners and employees that the current proposals will affect.

Mr Gary Snook; Mr Paul Omodei; Mr John Castrilli; Mr Paul Papalia; Mr Murray Cowper; Deputy Speaker; Mr Fran Logan; Mr Grant Woodhams

Fundamentally, the proposals are about reducing the catch of dhufish and pink snapper by 50%. Fisheries research, with all its limitations, arrives at this figure; and most in the community believe the research to be so wildly inaccurate that it should not be considered, let alone used, but it's there, and it's all there is, so it is being used. That's a shame but, here we are. My own lifetime of daily research says that in the West Coast Bioregion, angler numbers are decreasing, expectations are reducing and catch per unit effort on demersal species have been stable for many years. No cause for concern, and the changes that have come about have occurred as a social dynamic, not because of any perceived lack of fish. I believe my research to be more accurate than yours.

It is not until we have clear, certain, unambiguous research that we can truly manage this fishery. As Fisheries stated in FMP225, it is *essential*; "A registration system is seen as an essential component of any future management strategy to provide more accurate, timely and cost-effective information on recreational participation and effort."

That is on page 37. It continues —

On that front, they are completely correct; but it has been completely overlooked in the MPP.

So, in the absence of certain science, you have chosen to approach with the precautionary principle; not always a bad thing, but in the way it has been done in the MPP — specifically **Recommendation Five** — a very bad thing. Recommendation five, as it stands, further reduces the amount of science available, kills more fish, puts people out of work, destroys businesses and damages coastal town economies (in direct conflict with several of your own portfolios, it should be added). So we need an alternative plan.

Above all, there is one thing that we must achieve out of what happens next: that certain science. This does not require \$5.2million to have it happen, though by all means throw it in; though in fact if the same old path is followed, it will be money wasted. What we need is a demersal fishing licence, of sorts, tied to the recreational fishers' ticket. Now please don't balk and mumble about political suicide; harking back to my own credentials, I can assure you that an extensive closed season is much closer to gassing yourself in the Government car, than allowing people to fish in exchange for a means of genuine research.

The DEPUTY SPEAKER: The member for Murray needs to try to paraphrase some of the report. It is not really our practice to read whole reports.

Mr M.J. COWPER: Yes —

This genuine research needs to happen, sooner or later. A closed season does not have to happen.

However, if you want to avoid the word licence . . . then let's call it compulsory log books. Same effect, except you don't get to charge for it. People would willingly pay, incidentally; but only if everybody pays.

We would have a fairer system. Maybe later it can be self-funded, and of course in the research time it saves and the accuracy it provides, it would romp it in. It is completely a good thing.

Point of Order

Mr F.M. LOGAN: As you know, Madam Deputy Speaker, I rarely take points of order and stop people from making comments in the house, but the motion we are dealing with is a disallowance motion dealing with the taking of sharks and rays as a bycatch. We are not talking about the regulations for the taking of demersal fish, on which the member for Murray has now spoken at length, quoting from his friend's submission on those regulation changes. If he is making any comment about the shark and ray take, perhaps he could go to that point in the paper, because otherwise it has nothing to do with the debate we are having today.

The DEPUTY SPEAKER: I take it that the member can address some comments to the disallowance motion.

Mr M.J. COWPER: As I said, Madam Deputy Speaker, I took the lead from the member for Mandurah, who encouraged me to say that a submission had been put in. Certainly, a submission has been put forward. My colleagues on this side of the house have talked about demersal fishing as it impacts on local communities. If the argument is that we are talking only about sharks and rays, I am happy to do that, but we are talking about the fisheries industry, which is worth a lot of money and has a great impact. There is a lot of sensitivity in the community about this matter. If the minister does not want to allow me to speak to the matter, that is fine.

The DEPUTY SPEAKER: May I just advise for clarity that the member for Murray needs to be talking to the motion before the house. I would ask the member to address those issues as best he can.

Debate Resumed

Mr Gary Snook; Mr Paul Omodei; Mr John Castrilli; Mr Paul Papalia; Mr Murray Cowper; Deputy Speaker; Mr Fran Logan; Mr Grant Woodhams

Mr M.J. COWPER: We are talking about shark fins and rays. That was unclear to me because when I sat here and listened to every other member of this house speak on this matter, I did not hear one reference to sharks or rays.

Several members interjected.

The DEPUTY SPEAKER: Order! Rather than have an exchange across the chamber, I am sure that the member for Murray can direct his remarks to the motion.

Mr M.J. COWPER: I am here to speak on behalf of the people who are concerned about this issue and who have taken their time to write to me ad infinitum. It would appear that perhaps this might not be directly related to the motion that was moved by my colleague the member for Moore, but it all goes to the same track this government is going down, which is the track of decision making without any reference to the industry and any relevance to the desired outcome. If the minister can proffer someone who knows more about the industry than I would suggest my friend does, perhaps he will do so. If he listens only to one side of the story, that will be his demise. This person represents a huge number of recreational fishermen in Western Australia. I want to table this submission in a moment. If the minister does not take it on board, listen and at least examine the contents of the submission, it will be at his own peril. I do not know the exact figures, but a huge number of Western Australians are recreational fishermen, and the numbers are certainly enough to potentially see the end of the government. If the minister wishes to adopt a belligerent and arrogant view on this matter and not allow members in this place to speak, so be it; I will come back next week, move another motion and then I will introduce this submission.

Mr F.M. Logan: You can do.

Mr P.D. Omodei: By the same rule, he does not answer questions.

Mr F.M. Logan: Just speak to the motion; that is all I am asking you to do.

Mr M.J. COWPER: Speak to the motion? The member for Warren-Blackwood makes a very relevant point. Perhaps I should move to suspend standing orders so that we can have a debate to change the name of question time to question and answer time, because we surely do not get answers on this side.

The DEPUTY SPEAKER: I would suggest that what all members need to do is focus on the motion before the house.

Mr M.J. COWPER: I want to place a copy of this submission on the table. If the minister wishes to ignore it, be it at his own peril. I seek leave to table the paper.

[The paper was tabled for the information of members.]

Mr M.J. COWPER: There was a positive suggestion. The member for Mandurah was right when he said that if a member did not want to make a positive contribution to this debate, the member did not have the right to speak. I am making a positive contribution by proffering a solution to the problems and trying to address the issues that the minister is speaking about, yet it would appear that we have hit a sensitive nerve of the minister assisting the minister. Perhaps someone should take this minister fishing. Perhaps he should talk to the sharks out of professional courtesy!

Mr F.M. Logan: Are you offering?

Mr M.J. COWPER: I would be happy to take the minister fishing. That being the case, I will sit in my place but I will bring in another motion and the minister can listen to my speech all over again, because he clearly does not want to listen to any member on this side of the house or the people of Western Australia.

Several members interjected.

The DEPUTY SPEAKER: Order! I do not believe that was a very helpful exchange at all and it was unparliamentary.

Mr M.J. COWPER: I will not take much more time because I would like to hear from the minister. I would then like us to put this motion to the vote and have a decision so that the people of Western Australia can clearly see who is supporting small business and the recreation of the people of Western Australia. We have a situation in which vast tracts of the state's forest are locked up so that people cannot use them for recreation. The state has marine parks that people cannot fish in. The government is bringing in ridiculous marine strategies that will not work. The government does not want to listen to anyone else. It has set itself an agenda that is doomed to failure. It is so belligerent and so confident that it will win the next election that it does not care what the people of Western Australia say or what comes from this side of the house, but be that at its own peril.

Mr Gary Snook; Mr Paul Omodei; Mr John Castrilli; Mr Paul Papalia; Mr Murray Cowper; Deputy Speaker; Mr Fran Logan; Mr Grant Woodhams

MR G. WOODHAMS (Greenough) [6.39 pm]: I wish to speak to the motion, particularly regulations 3 and 10, as they relate to people not being able to catch sharks and rays off the south coast of Western Australia. Members on this side of the house have demonstrated the great intersection that there is between the fishing industries in Western Australia. A lot of the impact occurring on the south coast is because of different regulations that have been developed over time by successive governments, but certainly there is a lot of pressure now on the south coast fishing industry. I say that with the greatest amount of respect to those people who fish along that south coast and who, in previous times, were able to catch sharks and rays as part of their commercial catch. People on this side of the house have also evidenced the policy of this government that is in question with regard to integrated fisheries management. When we look at the policy of this government in practice, it is very difficult to understand how integrated fisheries management is really serving the people of the south coast who this particular disallowance motion would seek to help.

Integrated fisheries management in fact engages four different parts of the WA fishing industry: the commercial sector, the recreational sector, the tourist sector and also the Indigenous sector. I would say that regulations 3 and 10, which the minister is seeking to implement, will impact on the south coast in particular. It has been moved by this side of the house that there be a disallowance of regulations 3 and 10, but I cannot see that that is in line with the government's policy on integrated fisheries management. As the member for Peel mentioned, many areas around the world have disastrous fishing practices, and those which have appropriate regulations stand a better chance of surviving. I suggest that the current Minister for Fisheries has an excellent opportunity—the best opportunity available—to ensure that all of our fishing industries have a great chance of surviving.

The south coast fishing industry—I am being specific in talking to this particular motion—has some communities, some businesses and some families built around fishing practices; some for three generations or possibly more. Like some other members of this place, I was blessed with the opportunity of going to Windy Harbour many years ago and meeting some of the people involved in the fishing industry there. It is a wild part of the Western Australian fishing industry, and the opportunities for commercial operators on the south coast to catch fish are limited by that environment. The implications of regulations 3 and 10 will hardly improve the number of sharks and rays on the south coast.

The great expectation of every member of this place, and certainly the majority of people outside of this place, as far as the fishing industry in Western Australia is concerned, would be that a recreational fisherman or fisherwoman should be allowed to catch some sort of fish. I believe the expectation from the commercial side is that with sensible regulation they should be able to continue their livelihood and therefore guarantee a reasonable economic future for their families and businesses; and, more importantly, an economic future and a social future for many small fishing towns that are integrated into not only the immediate regional economy but also the whole Western Australian economy. I have heard members on this side of the house stand and say that there is also an expectation from perhaps you, Madam Deputy Speaker, or me. I am not a recreational fisherman, but I am a sometime beneficiary of a recreational fisherman. I say “fisherman” because I have not met a recreational fisherwoman yet who will offer me a fish! I am working on it! But at this stage they are fishermen. I am supporting this disallowance motion.

Further, the Minister for Fisheries in the other house, who has the Minister for Energy representing him in this place, should hear the message loud and clear from this side of the house. I believe we truly represent the great feelings of that range of integrated fisheries management people—that is, the commercial sector; the recreational sector; the tourist sector, which in some places might be called the charter sector; and also the Indigenous sector. The expectation from those four groups is that there is a better way forward than the way proposed at the moment. These regulations, in particular 3 and 10, discriminate against Western Australians in a manner that will in no way benefit the sharks or rays, the number of which on the south coast perhaps the minister or his advisers mistakenly think will be improved if these regulations are allowed to go ahead.

I hope that I have spoken to the motion; I believe I have. There are particular people who will be impacted in a way beyond that which any member of this place would describe as just and fair. The submissions that will be made to the ministerial position paper from the Western Australian fishing industry, I am sure, will reflect a great deal of angst from people who represent all sectors of the fishing industry. I repeat that I believe the current Minister for Fisheries has not only a magnificent opportunity to revisit this proposal and these two particular regulations, which are discriminatory and unfair, but also a chance to reflect upon the submissions he receives and to develop a better way forward if integrated fisheries management is to be the policy that this government adopts or manages.

MR F.M. LOGAN (Cockburn — Minister for Energy) [6.48 pm]: I will try to address the range of issues that have been raised. Let me go back to the basics. These regulations have been in place since November 2006. In terms of consultation and of informing people, I am advised that “Fisheries Management Paper No.180”—FMP180—was published in July 2004 and sent to all holders of fishing boat licences. Included in it was a letter

Mr Gary Snook; Mr Paul Omodei; Mr John Castrilli; Mr Paul Papalia; Mr Murray Cowper; Deputy Speaker; Mr Fran Logan; Mr Grant Woodhams

from the executive director drawing the attention of fishing boat licence holders to that issue. There was also a letter from the then Minister for Fisheries enclosed with FMP180 which also drew attention to the issue and what was going to happen.

Apparently there was also an article in the July/August 2005 edition of *ProWest*. I am advised by the minister that only a limited number of submissions were made. Following that, very little criticism was made about the direction that the Minister for Fisheries and the Department of Fisheries were intending to take.

With respect to what these regulations will do, these regulations are just a simple extension of the restrictions that have been in place for wetline fishing licence holders on taking shark and ray in the south coast fishery. Those restrictions have been in place since November 2006, and they were renewed in 2007. This disallowance motion has been brought into this place because there have been some grumblings from a number of sources. I am not denying that members opposite have received emails on a number of issues. One of those issues is the one we are dealing with today. The others relate to the other changes that the Minister for Fisheries has proposed and is proposing. They all add up to this disallowance motion which has been moved today, which enables members opposite to bring these issues to the attention of Parliament.

Mr G. Snook: I brought this on in March last year.

Mr F.M. LOGAN: Okay, I accept that, member for Moore. Nevertheless, we are dealing with this issue today, when it has been in place since November 2006.

I turn now to the actual amount of shark and ray that is taken outside of the actual targeted fisheries. Those target fisheries are licensed shark fisheries. The amount of shark that was taken in 2002 and 2003 was 389 tonnes. Forty per cent of all the shark and ray used for commercial purposes was taken by those shark fishermen who were not targeting shark and who were not licensed to take shark. This shark was bycatch. This shark was not taken by licence holders who were licensed to take shark. Although I am talking about the likelihood of fisher people and people who live in the communities of Windy Harbour, Albany and Denmark, shark fishermen also live in those communities. The protection of shark species will also ensure their livelihood. The more those shark species are hammered as a result of a bycatch by what used to be fishers who caught rock lobster and scalefish—not deliberately targeted, but as a bycatch—

Mr P.D. Omodei: We are talking about the south west wetline fishery, and we are saying —

Mr F.M. LOGAN: I know we are talking about wetline. I am talking here about the regulations that are attached to, and that impact upon, the commercial wetline fisher people who are not shark fishermen. They are licensed to target other fish. They get shark as a bycatch, and they sell that into the market. That is what they were allowed to do up until November 2006. There are also shark fishermen who are licensed to take shark and who will continue to be allowed to take shark. The impact that has been identified by the Department of Fisheries and the Minister for Fisheries has come from the annual stock assessment. In recent years, the annual stock assessment has indicated massive over-fishing of shark species.

Mr P.D. Omodei: Are you saying the south coast should be separate?

Mr F.M. LOGAN: The member can say what he likes. Is the shark fishery being hammered and over-fished, and does it need to be regulated? The answer from the Department of Fisheries and all its scientific people, based on, as members opposite have pointed out in the debate, the catch and the annual stock assessment, is that the shark fishery is being over-fished. That is evident particularly from the actual population structures of sharks and the age of sharks. A shark becomes mature between the ages of 15 and 18 years. Sharks are long-living creatures. If we over-fish the shark fishery, it will have an impact on the reproductive cycle of the sharks and result in a massive decline in the shark fishery. That is the reason these regulations have been put in place. At the same time, the Department of Fisheries is also saying, as I have pointed out, that these regulations are not affecting the direct fishing capability of wetline fishermen on either the west coast or the south coast. If what is being put forward by members opposite is that fishermen will go to the wall because of these regulations, that means that they must have been targeting shark. These fishermen are licensed to catch fish other than shark. The shark was a bycatch. If members opposite are saying that these people are going to the wall because these regulations are stopping them from taking shark as a bycatch and that is devastating their business, then what these people have told the Department of Fisheries was not the truth. What they must have been doing is targeting the shark population. However, that is not what they were licensed to do. Therefore, is their livelihood endangered? No, because they are allowed to continue their wetline fishing. We are trying to protect a species that has been over-fished. I accept the genuineness of the argument that members opposite have put. No-one wants that to occur. All the speakers on the other side have said that if the evidence shows that there has been over-fishing, then regulations should be put in place for, for example, the demersal stock. That is exactly what we are doing.

Mr Gary Snook; Mr Paul Omodei; Mr John Castrilli; Mr Paul Papalia; Mr Murray Cowper; Deputy Speaker; Mr Fran Logan; Mr Grant Woodhams

Mr P.D. Omodei: Would you go to Windy Harbour and talk to those people?

Mr F.M. LOGAN: The Minister for Fisheries spent three days last October on the south coast, and he went to all the ports, including Albany and Denmark, and various other spots throughout the south coast, and he talked about this very issue. He did not go to that meeting at Margaret River the other day, but he did go there last October as part of the consultation process for the renewal of the regulations, and he talked about that issue and took feedback from the very fishermen whom the member was talking about.

Mr G. Snook: Did he go to Windy Harbour?

Mr F.M. LOGAN: I am not sure. I will get advice on that, and I will get back to the member. From my understanding, he went through the whole of the south coast, including Albany and Denmark. I presume that did include Windy Harbour, but I will ask him. I do not know what his diary says. When it comes to consultation with fishermen on the south coast, which is the issue that has been raised in this chamber, the minister went there and fronted them. The minister spoke to them about why the regulations had been put in place, and he took their criticisms. The Minister for Fisheries has introduced these regulations based on scientific evidence. There has been consultation. It has been well known since 2004 that these restrictions will be introduced. Really, this motion is all about giving the opposition—and rightly so—the opportunity to debate all the other issues that have been raised about the regulatory changes that have been, and will be, impacting on the commercial and recreational fisheries in Western Australia. These regulations are being introduced for very good reason: to create a sustainable fishery.

Question put and a division taken with the following result —

Ayes (17)

Mr C.J. Barnett	Mr J.H.D. Day	Mr C.C. Porter	Mr G.A. Woodhams
Mr M.J. Birney	Dr K.D. Hames	Mr D.T. Redman	Dr G.G. Jacobs (<i>Teller</i>)
Mr T.R. Buswell	Ms K. Hodson-Thomas	Mr A.J. Simpson	
Mr G.M. Castrilli	Mr J.E. McGrath	Mr G. Snook	
Mr M.J. Cowper	Mr P.D. Omodei	Ms S.E. Walker	

Noes (27)

Mr P.W. Andrews	Mr J.C. Kobelke	Mrs C.A. Martin	Mr T.G. Stephens
Mr J.J.M. Bowler	Mr R.C. Kucera	Mr M.P. Murray	Mr D.A. Templeman
Mr A.J. Carpenter	Mr F.M. Logan	Mr P. Papalia	Mr P.B. Watson
Mr J.B. D'Orazio	Mr J.A. McGinty	Ms M.M. Quirk	Mr M.P. Whitely
Dr J.M. Edwards	Mr M. McGowan	Ms J.A. Radisich	Mr B.S. Wyatt
Mrs J. Hughes	Ms S.M. McHale	Mr E.S. Ripper	Mr S.R. Hill (<i>Teller</i>)
Mr J.N. Hyde	Mr A.D. McRae	Mrs M.H. Roberts	

Pairs

Dr S.C. Thomas	Mr J.R. Quigley
Mr R.F. Johnson	Mr A.P. O'Gorman

Independent Pair

Dr J.M. Woollard

Question thus negatived.