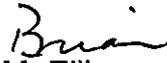


Our Ref: 26-10877



Hon Brian Ellis MLC
Chair
Standing Committee on Environment and Public Affairs
Parliament House
PERTH WA 6000

MINISTER FOR MINES
AND PETROLEUM;
FISHERIES;
ELECTORAL AFFAIRS;
LEADER OF THE
GOVERNMENT IN THE
LEGISLATIVE COUNCIL


Dear ~~Mr~~ Ellis

PETITION NO 130 – COMMERCIAL GILLNET FISHING IN THE SOUTHERN OCEAN

Thank you for your letter of 29 September 2011 requesting my comment on the terms of Petition No 130 and the submission from the principal petitioner, Mr Jack Jennings. I understand that the petition calls for the Legislative Council to recommend a total ban on commercial gillnet fishing in all ocean waters from Albany to Bunbury.

In response to your request, I can provide the following advice.

Commercial Gillnet Fishing on the South Coast

The commercial use of demersal gillnets in the waters between Albany and Bunbury is regulated under the Management Plan for the Joint Authority Southern Demersal Gillnet and Demersal Longline Managed Fishery (the Fishery). Operators in the Fishery predominantly use demersal gillnets to target sharks, however, scalefish are also an important and legitimate component of their catch. The Fishery supplies the domestic, and predominantly, local market.

The Fishery is managed via input controls in the form of transferable time/gear effort units, along with a range of gear restrictions, including mesh and hook sizes, net height ('drop') and maximum net length. The annual catch from the Fishery is controlled by the amount of permitted fishing effort, and each fisher can only fish with a limited amount of gear, for a limited period each licensing year.

All boats operating in the Fishery are closely monitored by the Department of Fisheries' (Department's) satellite-based Vessel Monitoring System. Fishers are also required to submit fine-scale, detailed daily/trip catch and effort information to the Department.

Resource Sharing

In early 2009, a community group known as Save Our Fish Stocks (SOFS) began making a number of complaints regarding the operation of the Fishery, specifically in relation to its impact on the sustainability of demersal scalefish stocks on the South Coast. The SOFS group claimed that the operation of the Fishery was impacting on recreational catches of demersal scalefish in the area between Windy Harbour and Walpole and called for the Fishery to be shut down in that area.

There was no scientific evidence (see advice below) to support the SOFS group's assertions regarding the sustainability of demersal scalefish.

PUBLIC

WA's peak commercial and recreational sector bodies, the WA Fishing Industry Council (WAFIC) and Recfishwest respectively, were invited to consider the resource sharing issue and develop an agreed approach. A number of meetings was held between my Office, the Hon. Nigel Hallett, the Department, WAFIC, Recfishwest and commercial and recreational sector representatives, to assist the process. Unfortunately, WAFIC and Recfishwest's attempts failed to reach an agreed outcome between the two sectors.

Status of Demersal Scalefish Stocks on the South Coast

The Department has good information on the levels of commercial catch and effort across the State, as well as in relation to the operation of this Fishery.

To supplement this information the Department recently submitted a proposal for funding from the WA Natural Resource Management (NRM) Strategic Priority Projects for the purposes of conducting a demersal scalefish stock assessment on the South Coast. Subject to funding, the project will run over a three year period, commencing in early 2012 and being finalised in late 2014.

In addition, the Department has recently commenced an integrated State-wide Recreational Boat Fishing Survey (iSurvey) to monitor recreational fishing activity. The results of the first iSurvey will be available in late 2012 and will provide better information on the levels of recreational catch and effort on the South Coast. The iSurvey will run every two years and information from the second iSurvey will be available in late 2014.

While there is no scientific evidence to suggest that demersal scalefish stocks on the South Coast are currently overfished or unsustainable (at a whole of stock level), I have recently requested advice from the Department about possible localised depletion. This advice will include recommendations on whether precautionary management measures are required to deal with any specific localised issues on the South Coast. Once provided with this advice, I will decide whether interim action is required to relieve pressure on demersal scalefish stocks in the region while the above research is conducted. Note that, given the limited information available on recreational fishing activity on the South Coast, any management action will likely impact on both the commercial and recreational fishing sectors.

Additional Advice Relevant to Petition 130

1. Assessment of the Sustainability of the Fishery

I understand that it is the Department's view that the Fishery is currently meeting its sustainability objectives with regard to shark and ray stocks. The Department's most recent *State of the Fisheries and Aquatic Resources Report 2010/11* reports that current fishing effort levels in the Fishery are assessed as being "acceptable". In addition, the status of the key shark stocks targeted in the Fishery are assessed as being either "acceptable" (gummy sharks and whiskey sharks) or "recovering" (dusky sharks).

The Fishery is also regularly independently assessed by the Commonwealth Department of Sustainability, Environment, Water, Population and Communities (SEWPaC) in accordance with the *Environment Protection and Biodiversity Conservation Act 1999*. SEWPaC's primary role is to evaluate the performance of the Fishery against the *Guidelines for the Ecologically Sustainable Management of Fisheries* (the Guidelines).

PUBLIC

In April 2009, the Fishery was assessed against the Guidelines. The then Commonwealth Environment Minister stated that he was satisfied that the Fishery is unlikely to be detrimental to the survival or conservation status of any species to which the Fishery's operations relate, or threaten any relevant ecosystem in the short to medium term. The Fishery is scheduled for re-assessment in early 2012.

2. *Impacts arising from Management Changes on the West Coast*

Previous Department and independent research showed that demersal scalefish stocks on the West Coast were being overfished.

I decided to address these concerns by reducing both the commercial and recreational sector catches of demersal scalefish by at least 50% (based on 2005/06 catch levels).

The closure of the metropolitan area to commercial (demersal gillnet and demersal longline and wetline) fishing was part of the broader strategy to sustainably manage demersal scalefish stocks on the West Coast. However, there is no evidence of a "massive redirection of commercial effort to the southern coast" as a result of the introduction of the metropolitan area closure.

3. *Demersal Gillnet Fish Drop-outs*

With regard to community concerns about large quantities of fish dropping out of gillnets before they are retrieved on board, the Department has advised me that neither scientific evidence, nor information from commercial operators supports this concern.

However, the commercial gillnet fishermen and SeaNet¹ have developed a project to quantify the dropout rate of demersal scalefish from commercial gillnets through the use of underwater monitoring equipment. The 'Drop-out Rate' project is expected to be finalised in early 2012.

4. *Ocean Fish Balance / Trophic Structure Effects*

With regard to community concerns about a "changing ocean fish balance", the Department, in collaboration Murdoch University, has recently completed research on this topic, and has advised me that there is no evidence of a "changing ocean fish balance" on the South Coast, or generally within Western Australia.

The full project report "Fisheries Research Report 215: Development of an ecosystem approach to the monitoring and management of Western Australian fisheries" can be downloaded from the Department's website at www.fish.wa.gov.au.

Conclusions

I believe that the process that has been undertaken to deal with the SOFS group's concerns (ie the resource sharing process and the numerous meetings that have been held with the SOFS group) has been appropriate.

Subject to funding, the NRM research project will determine whether there is a problem with overfishing of demersal scalefish on the South Coast and assist me in making an informed decision as to what, if any, action is required to address it.

¹ SeaNet is a professional extension program established to advance the sustainability of Australian fisheries and introduce conservation behaviours and new technologies to the industry.

While I have concerns regarding potential localised depletion of demersal scalefish stocks in some areas of the South Coast, a total ban on all commercial gillnet fishing from Albany to Bunbury is not warranted at this stage. Given the absence of scientific information to support the SOFS group's claims regarding stock sustainability concerns for demersal scalefish on the South Coast, my preference, at this stage, is to maintain a balance between commercial and recreational fishing interests.

I will soon decide whether precautionary management measures are required while the research is concluded.

I trust the information provided in this letter will assist your Committee in making inquiries into the petition. However, if you require further information, please do not hesitate to contact my Office.

Yours sincerely



NORMAN MOORE MLC
MINISTER FOR FISHERIES

10/11/11

PUBLIC