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**SUMMARY OF SUBMISSIONS TO
FISHERIES MANAGEMENT PAPER NO. 126**

THE SOUTH COAST ESTUARINE FISHERY

A DISCUSSION PAPER

FISHERIES MANAGEMENT PAPER No. 132



FISHERIES
WESTERN AUSTRALIA

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December 1999

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FOREWORD

Fisheries Management Paper Number 126, 'The South Coast Estuarine Fishery – A Discussion Paper' presented a number of management proposals for consultation with stakeholders as a way forward in addressing ongoing, current and long-term issues relating to the long term sustainable management of the Fishery and the resource sharing issues that exist.

The South Coast Estuarine Fishery management review required extensive consultation, as the waterways and resources on which the Fishery is based are utilised by a number of user groups, all of which, like commercial fishers, have economic, social and conservation interests. Although the terms of reference for the management review were aimed at the Commercial Fishery, community consultation is integral in determining management arrangements which will meet the objectives of the review. The objectives were to:

- consolidate the benefits gained by the Fisheries Adjustment Schemes,
- ensure long term sustainability of the fish resources,
- provide equitable, quality fishing opportunities for all user groups,
- address the requirements of the non fishing consumers of fish products by maintaining an optimum number of commercial fishers in estuarine fisheries, and
- ensure cost effective, efficient and consistent management across estuarine fisheries in Western Australia.

The management review generated wide community interest with a large number of submissions being received, representing a broad range of community members, from a large geographic range and diverse user groups. These user groups not only included commercial and recreational fishers, but included tourism operators, conservationists, academics and fish consumers. The comments received during the consultation phase of the management review are a valuable tool that will assist Government in determining the final management arrangements for the Fishery.

Fisheries WA will develop these management arrangements under the provisions of the *Fish Resources Management Act 1994* (The Act) and ensure that they comply with its requirements. Part 1, Section 3 of the Act states:

(1) 'The objects of this Act are to conserve, develop and share the fish resources of the State for the benefit of present and future generations.'

Section 3(2) further includes (amongst others) the following objects:

- to conserve fish and protect their environment;
- to ensure the exploitation of fish resources is carried out in a sustainable manner;
- to enable the management of fishing, aquaculture and associated industries and aquatic eco-tourism;
- to foster the development of commercial and recreational fishing and aquaculture;
- to achieve the optimum economic, social and other benefits from the use of fish

resources; and

- to enable the allocation of fish resources between users of those resources.

INTRODUCTION

1.1 Overview Of Consultation Process

Fisheries WA undertook an extensive three month public consultation process as part of the management review. This included public meetings, radio interviews and newspaper articles. Notification of the review and public meeting dates were also published in the Public Notices section of *The West Australian* and Southern Regional newspapers. Public meetings were relatively well attended in Denmark (approximately 70 people) and Esperance (30 people), while only 15 people attended at Albany. A 'Fisheries Research Information' evening was held before the end of the submission period to follow up specific issues arising from the Denmark meeting, namely King George Whiting catches in Wilson Inlet.

Approximately 500 papers were circulated. To assist people in responding to the recommendations, a submission form was prepared after the printing of the paper. These were sent out to all licensees and others who had requested the paper. This submission form was developed, at the request of some stake-holders (both commercial and recreational) to assist people to be clear in their response, and comment about each recommendation. This removed the subjectivity of Fisheries WA interpreting general comment and assessing support or non-support for a particular recommendation.

1.2 Background of Respondents

A total of 308 responses were received. This included submissions prepared by peak body groups such the West Australian Fishing Industry Council (WAFIC) and Recfishwest (representing recreational fishers). WAFIC formulated the 'industry submission' (termed this through out this document) on behalf of the licensees of the South Coast Estuarine Fishery (SCEF). The industry submission was signed by 29 licensees. The responses from industry and peak body groups for each recommendation are shown in this document. Likewise as Recreational Fishing Advisory Committees (Regional and State) are considered to be major sources of advice on recreational issues, their responses have also been identified. Submissions were also received from various groups, associations and agencies representing recreational fishing, conservation and development interests (refer Table 1). Responses for each recommendation for each of these respondents are identified in the groups category.

A large number of responses (193) were from individuals who signed pre-printed form type letters. These 'form' letters are referred to as, 'Form Letter 1' and 'Form Letter 2' for reference purposes. Further details are contained in Table 1.

A total of 84 responses were received on submission forms, 57 of these accompanied their response with supporting comments and ten incorporated additional comments in letters.

Twenty-seven separate letters were received. Where these letters addressed specific recommendations they were included in the analysis for that recommendation as an individual submission. Many of these letters could not be analysed into specific support for individual recommendations, however noteworthy comments have been included as general comment in Section 5.0.

The geographical origin of respondents (refer Table 2 and Figure 1) demonstrates that consultation was extensive and estuarine resources are considered to be important, not only to the local Fishery and community, but those outside the currently defined area of the Fishery. For example 24 per cent of submissions received originated from outside the South Coast region. Also of notable interest is the relative high proportion (40 per cent of total) of submissions originating from the Elleker to Denmark area. This may relate to the resource sharing issues pertaining to Wilson Inlet, however this more likely reflects the increased effort that some enthusiastic individuals went to, to gain support for their views through Form Letters and petitions. This interpretation is supported in that 112 of 123 respondents from the area provided comment through Form Letters or petitions.

The industry submission and Recfishwest submissions have not been included in the analysis of geographic origin. The industry submission was signed with full details of the licensees and from this the geographic origin of licensees is identified as:

59 per cent (17) originating from Albany, 34 per cent (10) from Denmark, and 7 per cent (2) East of Denmark. Irrespective of geographic origin, the industry submission was a consensus position of the licenses. Licensees who placed a separate submission were included in the geographic origin.

Submissions varied in detail and quality. Whilst all responses and comments have been considered, due to the large number of submissions only significant comments are reported in this paper. On all occasions where a submission recorded a response (e.g. agree/disagree, this was included in the summary of responses for that recommendation. Where comment has been made without explicitly stating agree/disagree, interpretation has been made. In some circumstances the respondent was contacted for clarification. General comments, not relating to specific recommendations, have been included in Section 5.

Whilst all submissions are considered and assist in formulating final recommendations tables indicate responses from the key stakeholder separately while others are grouped for ease of presentation.

Table 1: Background of Respondents:

<p>308 responses received:</p> <p>Group Responses</p> <p>Industry submission (prepared by WAFIC after a number of meetings with SCEF licensees - signed by 29 licensees)</p> <p>Recfishwest</p> <p>Albany Angling Club</p> <p>Albany Chamber of Commerce</p> <p>Department of Conservation and Land Management (CALM)</p> <p>Country Women's Association of WA - Denmark Branch</p> <p>Esperance Surf Casters Club</p> <p>Esperance/Goldfields Regional Recreational Fishing Advisory Committee</p> <p>Local Environmental Action Forum (LEAF)</p> <p>Munglinup and District Development Association</p> <p>Oldfield Landcare Group Inc.</p> <p>Shire of Esperance</p> <p>Unspecified group type submissions - (form or petition letters)</p> <p>'Form Letter 1'</p> <p>164 copies of this Form Letter were received. The origin of this letter is unidentified, however since they are exactly the same copy, they have been treated as a group. This Form Letter contained statements relating to recommendations 8, 9, 12, 14, 22, and 25.</p> <p>'Form Letter 2'</p> <p>29 copies of this letter were received. This Form Letter did not address any specific recommendations or management proposals. In general it stated overall criticism of any management proposals. The interpretation will be discussed in the summary.</p>
--

'Denmark Recreational petition'. This letter was grouped as it contained 11 signatures.

Other 'identifiable' sectors

Ten responses were received from SCEF licensees. Some of these licensees had signed the WAFIC submission, however wanted to emphasise specific points relating to their specific operation.

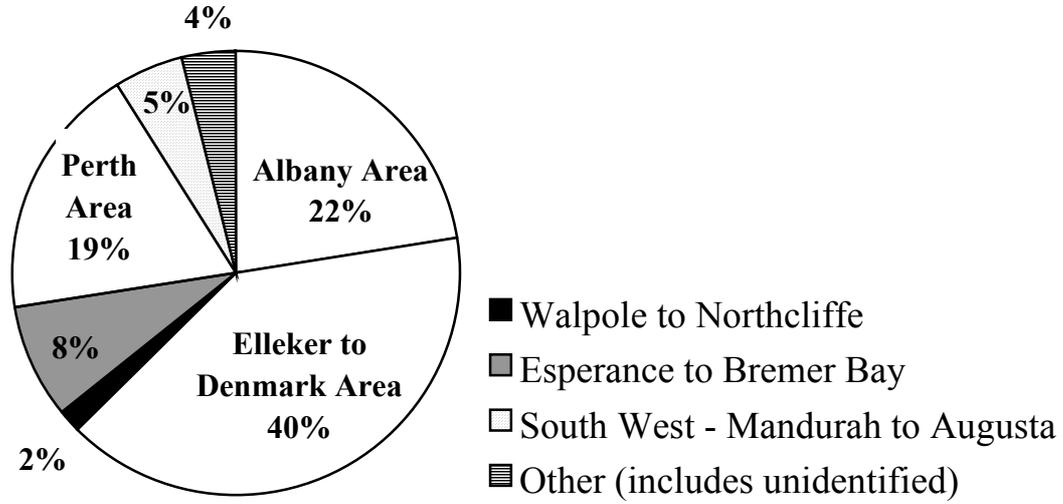
The rest of the submissions were treated as individual submissions

Table 2: Geographical Area of Respondents

Area	Number of Respondents	
Albany Area	69	(24 Form Letter 1, 20 Form Letter 2)
Elleker to Denmark Area	123	(85 Form Letter 1, 6 Form Letter 2)
Walpole to Northcliffe	5	
Esperance to Bremer Bay	26	
Perth Metro Area	57	
South West - Mandurah to Augusta	15	
Other (includes unidentified)	12	

Note: industry and Recfishwest submission not included.

Figure 1: Geographic Origin of Respondents



2.0 SUMMARY OF RESPONSES TO STAGE 1: INTRODUCTION OF CONSISTENT LEGISLATION AND MANAGEMENT TO EFFECT STRUCTURAL ADJUSTMENT.

2.1 Legislative Base (Recommendation 1)

Recommendation 1

That all the relevant legislation pertaining to the South Coast Estuarine Fishery be incorporated into a single Section 43 Order, under the Fish Resources Management Act 1994.

Summary of responses to Recommendation 1		
Submission Author	Support	Non Support
Industry submission		✓
Recfishwest	✓	
Esperance/Goldfields RRFAC	✓	
Groups	4	
Licensees (SCEF)	2	2
Individual responses	50	1

The industry submission did not support the recommendation that the Fishery be managed under a Single Section 43 Order, and instead proposed that a management plan be established. Industry has some concerns regarding the implications of the legislative base, and has requested that the management approach be clearly explained to industry.

Recfishwest supported simplifying the legislative basis for the Fishery commenting that this matter should receive high priority.

Other comments included:

- moving to a management plan may force the Fishery under the user pays (cost recovery) system.
- consolidation of the various legislation is a positive step in providing clear definitions for commercial fishing.
- the South Coast should have the same management arrangements as the West Coast.

Several individual submissions commented that they did not understand the difference between the types of legislative base.

2.2 Definition of the Fishery (Recommendation 2)

Recommendation 2

That consideration be given to defining the South Coast Estuarine Fishery as:

'the waters of the estuaries named in the schedule below occurring on the south coast of Western Australia between Cape Beaufort and 129° east including Princess Royal Harbour and Oyster Harbour.'

Schedule:

<i>Broke Inlet</i>	<i>Irwin Inlet</i>	<i>Wilson Inlet</i>
<i>Princess Royal Harbour</i>	<i>Oyster Harbour</i>	<i>Waychinicup Inlet</i>
<i>Gordon Inlet</i>	<i>Hammersley Inlet</i>	<i>Culham Inlet</i>
<i>Jerdacuttup Lakes</i>	<i>Oldfield Inlet</i>	<i>Stokes Inlet</i>
<i>Beaufort Inlet</i>		

Summary of responses to Recommendation 2		
Submission Author	Support	Non Support
Industry submission		✓
Recfishwest	✓	
Esperance/Goldfields RRFAC	✓	
Groups	5	1
Licensees (SCEF)	2	3
Individual responses	53	3

The industry submission expressed concern that defining the fishery by a legislated list of estuaries and waters may exclude industry from waterways and bodies of water not included on the list or schedule that are fished occasionally or opportunistically. Although the income from these waters is not significant in itself, it stated that all contribute to a total annual income. The submission stated that the definition of the fishery should remain in its current form (i.e. a geographic boundary with list of closed estuaries or areas). It requested that if a definition based on a schedule of estuaries and waterways was to be pursued, then the Schedule must be comprehensively reviewed with input from licensees.

The industry submission stated that the paper contained no detail or explanation of the 'values' or basis to substantiate the closure of the rivers and estuaries as proposed in the definition. The submission stated that, in the interest of achieving a negotiated

management package, licensees endorsed closure of the Donnelly River, Warren River and Gardner River. However, the licensees did not support the closure of Parry Inlet, Fitzgerald Inlet and Torradup Inlet stating that they were “fished occasionally and provided fish which if closed would have to be sourced elsewhere.”

Recfishwest, Esperance/Goldfields Regional Recreational Fishing Advisory Committee and the majority of individual submissions supported defining the Fishery by naming the estuaries open to commercial fishing in a schedule. Several submissions commented that consolidation and clear definitions of legislation was a positive step and strongly supported the exclusion of some estuarine systems, particularly the Gardner River, Fitzgerald Inlet and Torradup Inlet.

Several respondents added comments relating to Stokes Inlet in this recommendation. For example, Recfishwest and several other groups stated they did not support continued commercial and recreational netting access to Stokes Inlet. The comments relating to Stokes Inlet are discussed further in the Stokes Inlet Options.

Several submissions requested that additional estuaries be excluded from the schedule as follows:

- Stokes Inlet (Several groups, six individual responses),
- Oldfield Estuary (2 group submissions, 1 individual),
- Jerdacuttup Lakes (2 responses, one stating its importance to waterbirds),
- Pallinup and all rivers (1 response),
- Eyre River (1 response),
- Waychinicup Inlet (1 response),
- Oyster Harbour and Princess Royal Harbour (1 response).

Recfishwest stated that it strongly believes that further estuaries should be closed to ensure a tangible resource shift as a result of public funds being utilised through the Fisheries Adjustment Schemes. On this basis Recfishwest stated that the schedule should be framed to facilitate the closure of additional estuaries in the future.

A recreational fisher requested that Waychinicup Inlet should be excluded from the definition of the Fishery, and suggested implementing at least a netting prohibition in Waychinicup as it is a very small inlet frequently used by school groups, families and recreational fishers.

2.3 Definition of a Fishing Unit and Use of Subsidiary Dinghies (Recommendations 3 to 6)

Recommendation 3

That a fishing unit be defined as one primary fishing boat and two dinghies.

Recommendation 4

That the boat replacement policy be streamlined to allow appropriately endorsed vessels to be replaced with boats up to 6.5 metres.

Recommendation 5

That fishing units exceeding the proposed number be permitted to renew their FBLs for the remainder of the working life of the boat, but not beyond 1 January 2005. Future boat replacement and transfer applications will not be approved for fishing units that are outside the definition of a fishing unit.

Recommendation 6

That the primary fishing vessel and subsidiary dinghies may only be permitted to operate at the same time when used in conjunction with the specific fishing operation that the authorisation holder is conducting. Subsidiary dinghies may only be used within the defined areas of the fishery, unless otherwise authorised.

Summary of responses to Recommendations 3, 4, 5 & 6								
Submission Author	Rec'n 3		Rec'n 4		Rec'n 5		Rec'n 6	
	Sup	Non	Sup	Non	Sup	Non	Sup	Non
Industry submission		✓	✓		-	-	AP	
Recfishwest		✓		✓	✓		AP	
EG RRFAC	✓		✓		✓		✓	
Groups	4		5	-	5	-	4	-
Licensees (SCEF)	2	3	6		3	2	5	1
Individual responses	53	3	42	5	42	6	50	0

AP = Agree in principle

The industry submission did not support a change from the definition of a fishing unit, which currently defines a fishing unit as consisting of one primary vessel and four subsidiary dinghies. Instead it proposed that the operation of those dinghies should be restricted so that the licensee be permitted only to operate a maximum of two dinghies with the primary fishing boat at any one time during a fishing operation. One licensee queried whether the number of dinghies related to fishing effort, "as one owner (the licensee) can only use as many dinghies as can be operated by themselves at anyone time." Recfishwest also did not agree with the proposed fishing unit definition,

preferring that the fishing unit be defined as a primary fishing boat and one dinghy only.

In supporting Recommendation 4, which related to the streamlining of the boat replacement policy for the Fishery, one licensee criticised the time the present process takes. While the recommendation had substantial support, Recfishwest and several individual submissions noted some concern regarding the potential to increase fishing effort. Recfishwest stated it strongly opposed any increase in boat size and had concerns about the efficiency and effectiveness of vessels upgrading outside existing categories. Recfishwest states that there must be some significant compensatory mechanism to prevent the effort blow-out. One individual submission requested care be taken to ensure boats do not get larger and equipped with mechanical net hauling gear. Another requested that a suitable boat size should be defined for “each environment” inferring that the boat size should reflect the waterway size.

In relation to the phase in period for the boat definition (Recommendation 5), the industry submission stated that under its preferred arrangement for the definition of a fishing unit (Recommendation 3), that Recommendation 5 would not be relevant and therefore no response is recorded. Two individuals disagreed with the phase in date suggesting that two years is sufficient.

Recommendation 6 received clear support, however the effect on other fishing operations was questioned by industry and Recfishwest. Industry stated that it agreed in principle to Recommendation 6 provided that the ability of licensees to use dinghies for oceanic fishing was unaffected. Recfishwest agreed in principle but did not support the words 'unless otherwise authorised' at the end of the text and voiced concerns that the dinghy could be attached to another authorisation and not used in the estuarine fishery.

2.4 Identifying Key Catch and Effort Reference Points (Recommendation 7)

Recommendation 7

That reference points based on historical fishing effort and catch limits for key recreational and commercial species be established.

Summary of responses to Recommendation 7		
Submission Author	Support	Non Support
Industry submission	AP	
Recfishwest	✓	
Esperance/Goldfields RRFAC	✓	
Groups	7	
Licensees (SCEF)	2	4

Individual responses	56	2
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Industry agreed in principle with reference points stating they had merit particularly for determining or formally assigning catch shares between recreational and commercial fishing sectors. However they expressed caution toward such an approach, due to the fluctuation of catches between species and estuary from year to year. They stated that although a long-term average or upper limit could be determined, catches and profitability of commercial fishing was variable. Therefore if a traditional or historical catch level based on an average was established and then management measures implemented when this average is exceeded, the mean profitability or catches will be decreased. The submission also stated that:

“It would be necessary to establish a monitoring process which could evaluate long term catch rates to determine if a sectors catch share (commercial and recreational) had been exceeded.”

“As its guiding principle, the paper continually refers to the need to stabilise commercial catch at traditional or historical levels and to establish equitable resource shares between sectors. Whilst this principle was endorsed the concern of licensees was that the traditional or historical catch level will continue to be eroded.”

Recfishwest stated that it would like to see catch reference figures as part of the final report. It also stated that the two-year ‘show cause’¹ clause must be evoked for all fishermen without significant history. Recfishwest also stated that it would not like to see history levels set to allow the maximum number of commercial fishermen to remain in the fishery. Recfishwest stated:

“If these units were subsequently surrendered to the FAS, we would see this as a misuse of public funds when more traditional management exclusions as defined by the *Fish Resources Management Act 1994* are available.”

Many groups and individuals supported the concept of reference points and monitoring. Several submissions acknowledged the complexities of establishing reference points. One of these submissions cautioned against using historical catches for reference points without a program of monitoring the fish population dynamics due to the ongoing environmental changes occurring in the catchment area. The submission emphasised that in any case the precautionary principle should be applied. Several submissions suggested that commercial catch and effort be more effectively monitored, verified or validated. One of these submissions suggested that all licensees should be required to submit daily catch figures in order to monitor catch and effort more effectively.

Form Letter 2 voices concern that the Discussion Paper is overly severe and raises concerns about fish supply. They state that both recreational and commercial fishing should be impacted equally and fairly.

¹ Under section 143 of the *FRMA 1994*, if an authorisation has not been used in the previous 2 years, the authorisation may be cancelled, suspended or refused to be renewed.

2.5 Weekend, Public Holiday Closures and Daytime Set Net Closures (Recommendations 8 to 10)

Recommendation 8

That all estuaries in the South Coast Estuarine Fishery be subject to weekend closures to commercial fishing activities. Weekend closures will commence from 1.5 hours after sunrise² each Saturday morning until 1.5 hours after sunrise on Monday.

Recommendation 9

That all estuaries in the South Coast Estuarine Fishery be subject to closure for all commercial fishing activity for specified public holidays. Closures will commence from 1.5 hours before sunset on the night previous to the specified public holiday and 1.5 hours before sunset on that public holiday. The specified public holidays are: Australia Day, Good Friday, Easter Monday, Christmas Day, Boxing Day, Labour Day, Foundation Day, Queen's Birthday and New Year's Day.

Recommendation 10

That daytime set net closures be introduced for all estuaries. Closures are to operate during the period 1.5 hours after sunrise to 1.5 hours before sunset.

Summary of responses to Recommendations 8, 9 & 10						
	Rec'n 8		Rec'n 9		Rec'n 10	
Submission Author	Sup	Non	Sup	Non	Sup	Non
Industry submission		Sat only	AP		AP	
Recfishwest	✓		✓		✓	
EG RRFAC	✓		✓		✓	
Form Letter 1	Seine Nets only	Sat Only	-	-	-	-
Groups	5	-	5	-	5	-
Licensees (SCEF)	1	6	4	3	3	2

² The *Fish Resources Management Act 1994* defines sunrise and sunset as the times provided by the Perth Astronomical Observatory for the relevant day.

Individual responses	60	7	42	5	57	3
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Weekend and Public Holiday Closures Comments

The industry submission and several other submissions did not support the recommendation for total weekend closures on the basis that they considered the closure would impact upon market requirements and limit fishing time, especially in winter when fishing is more weather dependent. The industry submission, several individual submissions and three licensees in separate submissions proposed the introduction of Saturday night closures only. This would effect a closure for all fishing activity from the sunrise closure time on Saturday, until the sunset opening time on Sunday. Similarly, Form Letter 1 proposed a closure for one day only (Saturday closure) for the summer period only, and that seine netting be subject to weekend and public holiday closures all year round. Likewise, several licensees and individual submissions suggested that Saturday night closures should be introduced for the summer period only (suggested 1 Dec to 1 May) due to inclement weather in winter and on the basis that less recreational fishing occurs for the remainder of the year.

The industry submission stated that the licensees accepted, in principle, closure for specified public holidays provided:

- That if the public holiday fell on a Friday or a Monday the closure should be Saturday and Sunday nights only. (This was based on the majority view of licensees that they wished to retain the ability to fish on Friday nights).
- That at Easter the closure should include Friday, Saturday and Sunday nights, but not Monday night.
- That Christmas Eve and Christmas night should be closed. However fishing should resume on the night of 26 December (Boxing Day night).

A substantial number of submissions supported the concept of weekend closures and public holiday closures. Comments noted that they reduce potential conflicts, control effort by restricting fishing time and move toward consistency of legislation with the west coast.

Daytime Closures

The industry submission agreed in principle with daytime closures, but requested that closures commence two hours after sunrise and fixed specified setting times be implemented rather than being based on observatory time. The suggested setting times were:

- 5.00 p.m. during the months of October to February.
- 4.00 p.m during the months of August, September, March and April.
- 3.00 p.m. during the months of May, June and July.

The submission stated:

“One reason for this position is that a uniform setting time based on Perth Observatory time rather than local time affects time available for setting in each location within the fishery.”

“Licensees recommended that the morning netting closure should apply two hours after sunrise and not one-and-a-half hours as proposed. This was recommended to facilitate net retrieval and sorting of catch to be carried out properly.”

The industry submission and several licensee submissions raised concern that on occasions it was physically impossible to retrieve nets in this time-frame due to large quantities of fish requiring extended time for sorting catch. The licensees also commented that net retrieval in rough weather is a safety concern. Industry requested that given prosecution may result for failure to retrieve nets by a given time, a discretionary mechanism be introduced.

2.6 Permitted Gear and Method (Recommendation 11 to 21)

Summary of responses to Recommendations 11, 12,13 & 14								
Submission Author	Rec'n 11		Rec'n 12		Rec'n 13		Rec'n 14	
	Sup	Non	Sup	Non	Sup	Non	Sup	Non
Industry submission		a		a		a	a	
Recfishwest	-	-	a		-	-	a	
EG RRFAC	a		a		a		a	
Form Letter 1	-	-	a		-	-	a	
Groups	5		6	-	4	-	5	-
Licensees (SCEF)	4	3	2	6	2	4	6	-
Individual responses	43	14	46	18	49	9	54	4

2.6.1 Definition of permitted gear and methods in the Fishery (Recommendation 11)

Recommendation 11

That the permitted fishing gear in the South Coast Estuarine Fishery be restricted to gill nets, haul nets, seine nets, fish traps, crab pots, hand lines, prawn drag nets and hand-gathering of specified species of shellfish.

The industry submission and some other submissions did not agree with the recommendation on the basis that they considered the list did not identify the whole range of gear currently used in the fishery. Industry requested that squid jigging, school ring nets, line trolling, octopus pots, crab pots, fish drop nets, 10 mm whitebait nets, garfish nets, crab scoops, prawn scoops, shellfish rakes, hand-held spears and gaffs be added to the permitted gear list.

One licensee commented that he agreed with the industry submission on permitted gear, however, allocation of some fishing gear (e.g. fish traps) should be determined by history and method of catch, in that area.

Recfishwest neither agreed or disagreed with the recommendation, but voiced concerns regarding the inclusion of fish traps and crab pots. Several other submissions commented that fish traps should not be permitted or phased out, while one other commented that crab pots should not be permitted. These comments are further discussed under the specific recommendations relating to that gear (Recommendations 15 to 18).

Six individuals who supported the gear definition and a further seven who did not support the recommendation, commented that seine nets should either be banned from the Fishery or from particular inlets (notably Wilson Inlet). These comments have been included under the summaries for Recommendation 12 or under the discussion of Wilson Inlet Options.

2.6.2 Set net length and haul/seine net length (Recommendation 12)

Recommendation 12

That no more than three set nets totalling a maximum combined length of 1000 metres be permitted to be used within the fishery. The maximum combined length of seine or haul nets permitted in the fishery be 500 metres.

Set Nets

Generally there is an overall consensus that there is a need for legislated gear restrictions including maximum net lengths. Industry, licensees, Form Letter 1 and several individual submissions not supporting the recommendation did so on the basis of the amount of net length recommended. These submissions proposed alternative net lengths. In addition, nine individual submissions did not support the recommendation on the basis the proposal included a specification for seine nets. These are discussed below under the headings for the two different gear types.

The industry submission, along with Form Letter 1 and the licensees not supporting the recommendation proposed a maximum set net length of 2,000 m. In addition, the industry submission did not accept the proposal to limit fishermen to a maximum of three nets as they considered this to be impractical in areas (i.e. narrow rivers), where it was essential to use numerous smaller lengths of nets. It was also noted that the length of net used by each licensee varied significantly and therefore the introduction of net length provisions will impact on each licensee differently.

Many submissions, however supported the introduction of a minimum set net length of 1000 m. Five individuals commented that nets or set nets should be banned in estuaries, while two others stated that the maximum set net length should be 500 m or 700 m. Several stated concerns about setting nets across whole inlets/estuaries.

Haul/Seine Nets

The industry submission stated that licensees did not support the limitation on haul/seine nets to a maximum of 500 m and proposed that the maximum haul/seine net permitted be 600 m (one fisher requested 700 m.). The industry submission also proposed that if two licensees fished together in the same fishing operation they should be permitted to use a combined maximum length net of 900 m.

Nine respondents who did not support the recommendation commented that they prefer a ban on seine nets (some stated in Wilson Inlet, others did not specify) and

three suggested “no netting in inlets”. Comments from those requesting limitation or a ban on seine nets included:

- concern that the limitation of fishing effort by weekend closures are negated due to the shot capability of haul/seine nets.
- concern regarding seine net catches.
- perceived juvenile mortality and waste occurring.
- unfair advantage over other license holders not using seine nets.

2.6.3 Minimum mesh size for set nets (Recommendation 13)

Recommendation 13

That the minimum mesh size for set nets permitted to be used in the South Coast Estuarine Fishery be 63 mm. A minimum mesh size greater than 63 mm should be considered for estuaries where black bream is the predominant target species.

The industry submission did not support the proposed 63 mm minimum mesh size for set nets stating concerns that most whiting would go to sea before capture and be lost to the fishery. Given this they stated that 2 ¼ ‘ (57 mm) is deemed optimum. They indicated general support for a minimum mesh size greater than 63 mm in estuaries where black bream predominates, but considered that legislating a larger mesh (principally for bream) would preclude the targeting and capture of other species when they became available. The most appropriate mesh size would also vary significantly between seasons and waterways fished. Licensees therefore were of the view that the larger mesh proposal should be noted at this stage and that further detailed discussion of this matter between licensees and Fisheries WA should take place in due course.

Licensees who placed a separate submission not supporting the recommendation, generally proposed 57 mm as the minimum mesh size. In a similar comment to the Industry submission, one fisher predicted that an increase in mesh size would increase seine netting or shift set net effort onto other species such as cobbler (particularly in Wilson Inlet). One licensee stated concern that ceasing the seasonal use of ‘garfish’ nets (i.e. 44 mm, 1 ¾”) in Wilson Inlet may give operators incentive to seine net. One submission proposed that an overall reduction in total permitted net length be effective when ‘garfish’ nets are used by that licensee and legislation specify the setting of such nets so that they are on the surface and away from banks.

Although Recfishwest did not register support, the submission conveyed concern regarding targeting of black bream by stating the following:

“Targeting of black bream by commercial fishing interests needs to be carefully assessed...Recfishwest believes that the importance of recreational fishing for bream should be considered before making a final recommendation on fishing practices which may disadvantage recreational fishing.”

Three individuals did not support the recommendation on the basis that they believed set nets should be banned from inlets, while three others commented that 57 mm was appropriate.

While many submissions supported Recommendation 13, many did not comment on the minimum mesh size of 63 mm. Several submissions stated they were particularly supportive of an increase in mesh size for estuaries where black bream are the predominant target species. A minimum mesh size of 100 mm was suggested by some groups and individuals, particularly for Stokes Inlet. Two of these submissions, while supporting a minimum mesh size, speculated whether a maximum mesh size was needed to protect larger bream by querying whether mesh size beyond 120 - 125 mm mesh would reduce breeding stock.

2.6.4 Sorting of haul/seine nets (Recommendation 14)

Recommendation 14

That legislation be developed making it mandatory to sort haul/seine net catches in the water, that is the bunt containing the catch is not drawn ashore or aboard a boat while containing the catch.

This recommendation received very wide support, however several individuals commented that they could not support the recommendation on the basis that they did not support the use of seine nets. Several who supported the recommendation conveyed concerns about enforcing the sorting.

Responses to Fish Traps and Crab Pots and Crab Management - Recommendation 15 to 18

Summary of responses to Recommendations 15, 16, 17 & 18								
	Rec'n 15		Rec'n 16		Rec'n 17		Rec'n 18	
Submission Author	Sup	Non	Sup	Non	Sup	Non	Sup	Non
Industry submission	a		a		a	-	a	
Recfishwest		✓	AP			✓		✓
EG RRFAC	-	-	✓		-	-	-	-
Groups	2	1	3	-	3	-	3	-
Licensees (SCEF)	6	0	6	0	6	0	6	0
Individual responses	30	11	40	5	45	3	43	4

AP = Agreement in principle

2.6.5 Fish traps (Recommendations 15 to 16)

Recommendation 15

That fishers be permitted to use a specified number of fish traps in Oyster Harbour and Princess Royal Harbour. The permitted number of fish traps, the area of use, and permitted species would be determined during consultation with input from the Research Division of Fisheries WA.

Recommendation 16

That design specifications for fish traps be developed by Fisheries WA during the consultation process.

The industry submission endorsed recommendation 15 and 16, however they stressed the need for consultation with industry. They proposed a maximum number of traps at 20.

One licensee queried the implications of weekend and public holiday closures on fish traps with respect to transportation hazards and hardship. He stated that if the fish traps had to be removed from the water every weekend and therefore transported, safety hazards may exist due to the relative small size of their dinghies. He requested that fish traps be permitted to be left in the water, but not pulled during the closure period.

A licensee proposed that when fish traps are used, there should be a corresponding reduction in permitted net length for that day. The suggestions were either a reduction of 100 m for each fish trap used, or implement a permitted maximum of 500 m of net length if setting any fish traps.

Recfishwest requested that fish traps not be included in the gear definition (Recommendation 11) and did not support Recommendation 15 stating that:

“Recfishwest strongly believes that the Developing Fisheries Policy should apply in this instance and the onus of proof should lie with the proponent and not Fisheries WA in determining the allocation, if any, of fish traps.”

Recfishwest showed in principle support for recommendation 16 by commenting that:

“This must be done at cost to the proponent as part of the application process for the Developing Fisheries Policy.”

Two submissions did not support the use of fish traps at all in the estuaries stating by-catch concerns such as the capture of octopus. One group, while supporting the recommendations, stated that they preferred that fish traps be phased out in 2005, or with the retirement of the licensee.

2.6.6 Crab pots and crab management (Recommendations 17 to 18)

Recommendation 17

That the commercial catch and management arrangements for crabs within the defined waters of the Fishery remain within the scope of the South Coast Estuarine Fishery.

Recommendation 18

That fishers be permitted to use a specified number of crab pots. The number and area of use will be determined during consultation with input from the Fisheries WA Research Division.

The industry submission supported the recommendations regarding crab management, however requested that genuine and thorough industry consultation occur which must include the defining of crab pots.

One licensee (who put in a separate submission) stated he agreed with the industry submission that only licensees who can demonstrate through the Catch and Effort System data to have targeted crabs should trial the crab pots.

Recfishwest strongly opposed the continuation of crab management within the South Coast Estuarine Fishery. It commented that a state-wide review of crab management arrangements had been undertaken, and considered that the recommendation was in conflict with those of the Inshore Crab Review Committee. It stated that crab pots should only be issued to those who meet the clearly identified entry criteria recommended in the crab review.

Several submissions mentioned the bycatch of crabs in the Fishery and two of these commented that in view of the crab bycatch there should be no specific targeting of crabs.

Summary of Responses to Recommendations 19 to 21

Summary of responses to Recommendations 19 to 21						
	Rec'n 19		Rec'n 20		Rec'n 21	
Submission Author	Sup	Non	Sup	Non	Sup	Non
Industry submission		✓	Partial		AP	
Recfishwest	✓		✓		✓	
EG RRFAC	✓		-	-	✓	-

Groups	4	-	3	-	3	-
Licensees (SCEF)	1	5	1	4	2	3
Individual responses	59	3	42	6	47	2

2.6.7 Hand-held spears

Recommendation 19

That commercial fishermen continue to be prohibited from using harpoons, spear guns, Hawaiian slings or any other type of pointed instrument to take fish.

The industry submission and several licensees did not support the recommendation stating that hand-held spears and gaffs should be permitted for fish retrieval (when they fall out of nets), the occasional capture of cobbler (and other species) and safety (in the removal of species such as stingrays from nets).

2.6.8. Hand-gathering of specified shellfish species

Recommendation 20

That only commercial fishers who are currently authorised by specific licence condition be permitted to harvest specified shellfish species in the Fishery.

Recommendation 21

The gathering of shellfish will be restricted to hand-gathering by the authorisation holder within specified areas and the use of any implements or auxiliary equipment will be prohibited.

The industry submission stated that:

“Licensees supported that all South Coast Estuarine fishermen should be entitled to take shellfish. This view was principally one of equity. Licensees endorsed that each licensee should, as far as practicable, have the same fishing rights...licensees understood the concerns held by Fisheries WA research scientists that there was one species of cockle particularly vulnerable to overfishing and it was accepted that the take of this species should remain limited to those licensees currently endorsed to do so.”

The industry submission supported the prohibition of rakes for harvesting the larger cockle species, but did not support hand-gathering only for the smaller species of cockles and mussels as it was deemed that rakes were the only practical harvest method. One licensee stated that mussels and cockles should be allowed to be harvested for bait in a limited quantity and a rake should be permitted for this purpose.

The industry submission criticised the process undertaken in the past to grant individual licensees with licence conditions, stating that it had not been equitable or widely understood by licensees at the time it took place.

Recfishwest supported recommendations 20 and 21 although it stated that the species must be detailed before they can comment on specific issues.

One submission emphasised the need for protection from overfishing some species as they are lower links in the food chain.

3.0 SUMMARY OF RESPONSES TO STAGE 2: DETERMINING THE OPTIMUM NUMBER OF COMMERCIAL FISHING UNITS AND MECHANISMS FOR ACHIEVING TRANSFERABILITY (RECOMMENDATIONS 22 TO 25)

Summary of responses to Recommendations 22 to 25								
Submission Author	Rec'n 22		Rec'n 23		Rec'n 24		Rec'n 25	
	Sup	Non	Sup	Non	Sup	Non	Sup	Non
Industry submission		✓	AP			✓		✓
Recfishwest	✓		AP		✓		✓	
EG RRFAC	✓		✓		✓		✓	
Form Letter 1		✓	-	-	AP	-	AP	
Groups	3	-	4	-	4	-	4	-
Licensees (SCEF)	2	5	7	0	2	4	3	3
Individual responses	48	7	46	18	49	5	39	11

3.7.1 Optimum number of fishing units (Recommendation 22)

(Recommendation 22)

That fifteen is the optimum number of units which should remain in the Fishery.

This recommendation received vocal disapproval from the industry, both at meetings, through licensees going to the media, and in the Industry submission.

The industry submission stated:

“Licensees unanimously reject the proposal that 15 units was the optimum number in the fishery on the following grounds. It was considered this was too low to maintain economic efficiency or even economic survival of the fishery (i.e. insufficient to maintain the interest and servicing by processors, transport companies and other service industries and a resultant decrease in product which would be insufficient to supply and maintain the wide variety of markets necessary). In addition it was felt a higher number was essential bearing in mind that many licensees undertook other seasonal fishing operations thereby limiting their overall effort in the South Coast Estuarine Fishery.”

“Licensees proposed that a 50 per cent net length reduction should be imposed on licence transfer (not to apply in instances of Grandfather³ (i.e. family transfers) until the number of full 2,000 m licences reached 20. Once this number was reached the 50 per cent reduction on transfer should cease to apply.”

“This proposal was recommended principally to alleviate Fisheries WA concern in relation to the latent effort capacity in the event of licence transferability. Depending on the number of licences taken out as a result of the current Fisheries Adjustment Scheme, the above package would probably leave in the order of 6-8 ‘half licences’ (i.e. 1000 m). The half licences should then be permitted to be amalgamated by transfer leaving a maximum of 23 or 24 full licences in the fishery. This was generally felt to be the optimum number to ensure economic efficiencies.”

Recfishwest supported the Management Paper’s recommendation regarding optimum number of units, commenting it represents a genuine attempt to recognise the presence of a small number of units in a viable Fishery while recognising the need for change. They stated the figure (15) represented a reasonable ‘guesstimate’ of fishing effort in the long term.

Form Letter 1 inferred support for a reduction in the number of fishers, by stating that transferability should be introduced in the Fishery when the number of fishers decreased to 25. One copy of the Form Letter was adapted with 32 replacing 25.

3.7.2 Reactivation of Voluntary Fisheries Adjustment Scheme (Recommendation 23)

Recommendation 23

That a Voluntary Fisheries Adjustment Scheme be reactivated in the fishery to parallel the proposed management arrangements.

The industry submission noted that this recommendation has been implemented since the release of the paper. Licensees, however stated that should transferability not be granted, then the Fisheries Adjustment Scheme should only accept buy back offers until there were a minimum of 23 or 24 licences remaining in the fishery. As previously noted this was deemed by the licensees to be the minimum number of operators in the fishery necessary to maintain an economically viable fishery.

Several licensees in separate submissions suggested there would be more incentive to leave the Fishery if the offers were higher.

³ A ‘Grandfather’ clause, as it is often referred, is a method which limits transferability to immediate family offspring such as son/grandson/daughter/granddaughter.

Recfishwest supported the reopening of the Voluntary Fisheries Adjustment Scheme on the condition that some estuaries be closed to create an explicit shift in the resource shares rather than be used to solely restructure the commercial fishery and increase the profitability of remaining operators. Recfishwest would like to see one of Wilson or Stokes Inlet closed immediately to consolidate the resource shift resulting from the reduced number of commercial fishermen which has resulted through the use of public moneys allocated to the Fisheries Adjustment Schemes.

One individual stating support for the buy-back scheme commented that unused licences should be cancelled without cost to the taxpayers.

3.7.3 Transferability (Recommendation 24 to 25)

Recommendation 24

That in the short-term authorisation to fish in the fishery remain non-transferable.

Recommendation 25

That transferability provisions be considered when fishing units have reduced to the optimum number and appropriate legislation is implemented to limit fishing effort.

The industry submission requested that open transferability be granted immediately and stated that they endorse that appropriate management measures be utilised to maintain fishing effort at accepted levels.

The industry submission stated:

“This approach advocates withholding of transferability as a management tool to contain effort. Licensees contend that this practice is both inappropriate and discriminatory. In the majority of WA’s fisheries licences are fully transferable. If fishing effort and catches in these fisheries exceeds that which is deemed sustainable or appropriate, then input or output management measures and restrictions to address the problem are introduced.”

“The South Coast Estuarine Fishery should not be treated differently. It is on this basis that licensees are urging that transferability is immediately granted with an acceptance of the need to implement management measures to contain effort at appropriate levels.”

Several licensees requested that family transfers or open transferability should be granted immediately, or if this was not possible when the number of licenses reaches 25. This view was also reflected in Form Letter 1 which also requested that licences become transferable when that number or remaining licensees reaches 25.

Recfishwest supported the short term non transferability of authorisations until targets of operators, gear and number of estuaries have been met to prevent effort blow out and increasing conflict.

Other submission comments included:

- Grandfather clause should be granted on death or sickness or injury of licence holder immediately.
- Restrict numbers in particular estuaries (one commented “What happens if all 15 turn up in Wilson Inlet ?”).
- More incentive needed.
- That transferability should be linked to training, with only people gaining an appropriate certificate qualifying for the licence considered.
-

4.0 RESPONSES RELATING TO STAGE 3: ISSUES AND OPTIONS FOR AREA SPECIFIC MANAGEMENT AND FURTHER RESOURCE SHARING.

4.1 Wilson Inlet Options 1 to 3

Wilson Inlet Option 1

Reduce the number of authorisation holders who can access Wilson Inlet by investigating the feasibility of a specific Fisheries Adjustment Scheme to allow authorisation holders to voluntarily surrender their access entitlement to the Inlet, with restrictions in future access by the remaining licensees.

Wilson Inlet Option 2

Reduce commercial fishing activity in Wilson Inlet by:

- *introducing a netting restriction for Wilson Inlet and limiting the combined total net length for each unit holder to a level less than that permitted in the fishery, and/or*
- *implementing a seasonal closure for commercial fishing (all activities) in Wilson Inlet.*

Wilson Inlet Option 3

Incorporate the prohibition of all commercial fishing activity into the existing netting area closure from the mouth of the Inlet to Poison Point in Wilson Inlet.

Summary of responses to Wilson Inlet Options 1 to 3						
	Option 1		Option 2		Option 3	
Submission Author	Sup	Non	Sup	Non	Sup	Non
Industry submission		✓		✓		✓
Recfishwest		✓	Part		-	-
Groups	4	0	3	-	3	-
Licensees (SCEF)	1	4	0	4	2	3
Individual responses	47	1	49	5	42	3

The industry submission did not support any of the options, stressing that should any options be considered in the future then direct and full discussion with licensees must take place.

One licensee supported extending the existing netting closure at the Inlet mouth to a total commercial closure (Option 3) but requested that commercials be permitted to participate in recreational fishing there only.

Recfishwest did not support Option 1 stating that:

“Recfishwest strongly opposes Option 1 on the basis that irrespective of history in Wilson Inlet, a closure to commercial fishing does not affect the overall nature of the fishing right on the South Coast and so should not be compensatable.....”

Recfishwest commented that they believe that ultimately Wilson Inlet should be closed to commercial and recreational gill netting. It is an important nursery for many species on the South Coast and harvesting large quantities of small fish is not in the best long-term interest of the stocks in the region.

Form Letter 1 stated that “Wilson Inlet has been commercially fished for over 100 years and continues to remain viable and a major source of income for the town economy”.

Some submissions expressed concern about the number of licence holders able to fish Wilson Inlet or voiced concern regarding the current situation of unrestricted net lengths. Several submissions stated the importance of recreational fishing to tourism in Denmark.

Several submissions suggested an increase in the total area of the proposed closure. These included:

- an extension of the current closure line (Poison Point to Plantagenet location 1828) to either a direct line from the mouth of Denmark River to Pelican Point, or from Jack's Island to Pelican Point.
- closure from the mouth of the inlet to Springdale jetty.

One respondent commented that extending a complete commercial closure from Poison Point to Pelican Spit would give recreational anglers greater opportunity to fish when whiting stocks are located without netting pressure reducing their numbers. Another submission commented that commercial fishers fishing in the current closed netting waters near the Inlet mouth flaunt large hand-line catches in front of recreational fishers.

Like that of Recfishwest, several individual submissions emphasised the importance of Wilson Inlet as a fish breeding and nursery area. Several submissions said they had concerns regarding water bird deaths, one suggesting a restriction in the deployment of all nets to a distance of 300 metres offshore. One individual did not support Option 3, preferring a closure at the shallow eastern end of the Inlet to protect the spawning and feeding ground for particular species of water birds.

Several submissions, including Recfishwest, were concerned about juvenile snapper mortality in set nets. Recfishwest requested the removal of the special size limit for pink snapper in Wilson Inlet, and another submission suggested a seasonal closure for commercial fishing when juvenile snapper are most vulnerable. Several submissions suggested a seasonal closure or total prohibition of Seine/Haul Netting to reduce mortalities of either undersize fish or juvenile (but legal size) snapper.

Two submissions emphasised that non harvesters of fish (i.e. non fishers) have rights to the estuarine areas and that these rights need to be actively promoted. One commented that “sharing is important for the whole Inlet resource, not just the fish stock – my family's experience is that both groups of fishermen (recreational and professional) have warned off other users wanting to swim or sail in Wilson's Inlet.”

Issues relating to the use of seine nets is the biggest issue in Wilson Inlet. Many respondents requested that seine netting be restricted or totally prohibited from Wilson Inlet. Some of these stated their reasoning was based on catch quantity or mortality issues. Some acknowledged that sorting of seine nets in water (Recommendation 14) will assist in reducing mortalities, but they preferred seine netting be prohibited from Wilson Inlet .

4.2 Stokes Inlet Options 1 to 4

Stokes Inlet Option 1

Reduce the number of authorisation holders who can access Stokes Inlet by investigating the feasibility of a specific Fisheries Adjustment Scheme to remove access entitlements in the Inlet, with restrictions in future access by the remaining licensees.

Stokes Inlet Option 2

Address the catch share concerns in Stokes Inlet by considering the introduction of a minimum mesh net size that will facilitate both an increase in catch share to the

recreational anglers and additional protection of black bream. A minimum mesh size of greater than 89 mm may be considered.

Stokes Inlet Option 3

Increase the period of the existing commercial seasonal closure, 1 December to 31 April the following year, by closing the Inlet earlier or later in the year.

Stokes Inlet Option 4

That consideration be given to implementing a total closure of Stokes Inlet to commercial fishing.

Summary of responses to Stokes Inlet Options 1 to 3								
	Option 1		Option 2		Option 3		Option 4	
Submission Author	Sup	Non	Sup	Non	Sup	Non	Sup	Non
Industry submission		✓		✓		✓		✓
Recfishwest		✓	AP		AP		✓	
EG RRFAC	✓		✓		✓		-	-
Groups	1	3	1	3	2	2	4	0
Licensees (SCEF)	2	2	1	2	1	4	0	4
Individual responses	34	3	35	3	34	7	47	11

The industry submission did not support any of the Stokes Inlet options. The submission requested further consultation with licensees should any options be considered in the future. Industry, however proposed a closure to the upper rivers above the bitumen road (i.e. Young and Lort Rivers) to both commercial and recreational fishermen. The basis for this proposal is that seasonally, fish die between the bitumen road and the estuary and a closure there would only result in a waste of resource. However a closure above the bitumen road was deemed to act as a “brood stock insurance policy”.

Although Stokes Inlet is in a relatively unpopulated area, submissions relating to this Inlet and the issues associated with it tended to be accompanied by more detail than most others. Many submissions conveyed that, in their opinion, management restrictions on the commercial fishery will help ensure recreational anglers hook reasonable size fish and that recreational fishing was very important to the local economy (Esperance).

While a significant number of submissions supported a complete closure of Stokes Inlet, many also supported Options 1 to 3 or a combination of these Options. Suggestions included:

- reducing the current seasonal commercial closure to a three-month season only.
- No more than three licences permitted to fish the Inlet each year to be decided by ballot.
- Set nets to have a minimum mesh size of 100 mm. Some suggesting investigating a maximum mesh size to protect breeding stock.
- Permitted fishing every second year only.
- Introduce a closure for commercial fishing, north of the track across the top of the inlet (track marked by CALM).
- Introduce a closure to netting (some stated for recreational and commercial), and permit licensees to hook only. Several submissions gave the example of one regular commercial fisher in 1980 who only hand-lined.

Several submissions stated that they disagreed with Options 1, 2, and 3 as they considered neither would guarantee a reduction in fish taken and that a complete closure was warranted. In addition, several submissions requested that the Oldfield Estuary and all tributaries be also closed either to all netting or all commercial fishing. Approximately 40 per cent of respondents supporting a complete commercial closure of Stokes Inlet (Option 4) originated from Esperance. Many of these submissions commented that while recreational fishing and tourism made a significant contribution to the local economy of Esperance, they felt the commercial fishery did not.

Recfishwest stated that it has previously requested that Stokes Inlet and Wilson Inlet be closed to commercial fishing. Recfishwest supports Stokes Inlet Option 4 without any payment of compensation (refer Wilson Inlet Options for reasoning). Recfishwest states that alternately if Wilson Inlet was closed, Stokes Inlet could be managed through Option 2 or 3.

General remarks and comments relating to Stokes Inlet included:

- Stokes Inlet attracts 18,000 visitors each year.
- There is a perception that the estuary is part of the Stokes Inlet National Park and therefore should be free of any commercial activity just as the land in the park is now.
- Stokes Inlet is considered to be one of the most important recreational fishing areas in the Esperance region due to its relative proximity and ease of access.
- Potentially any young, old, infirm, disabled and people without a boat or a four-wheel drive can easily access Stokes Inlet to fish.
- Although between one and three licensees tend to net in Stokes Inlet each season, it is not a historically significant commercial fishery due to the fact that access was difficult (if not impossible) right up until about 1978.
- The perception is that commercial fishing is putting the most pressure on the fish stocks. Recreational anglers are catching less fish in the estuary and those caught

are smaller and most are not of size, leaving the perception that the fishery is under threat.

- The recreational value of Stokes Inlet full of fish available to recreational anglers is considered to be of far greater economic value to the Esperance region than any economic value gained from the Commercial Fishery.
- “Walpole/Nornalup is closed to commercial fishing to the great benefit of tourism ...it is now time for the eastern south coast to have a like area in the form of Stokes Inlet.”
- Banning all netting from Stokes Inlet would allow recreational anglers to catch a reasonable-sized fish without a great impact on the commercial fishing industry.
- Anecdotal evidence by local recreational fishers suggest fish stocks are declining.
- Several submissions commented that lots of family groups enjoy the park and tend to enjoy good catches of bream until the inlet opens to netting (commercial and recreational) on May 1.
- “Stokes Inlet is one of the very few inland waterways in the proximity of Esperance suitable for tackle and fly. Commercial fishers take out a large proportion of catchable legal size fish and erode recreational value. Large fish would attract more sporting angler's and contribute to the area's economy. The professional fishers who fish Stokes Inlet all come from out of the area, bringing their own requirements and take the catch out of the area. This represents no financial value to Esperance. This is justification for closing Stokes Inlet for commercial use.”

Whilst many individuals favoured a complete commercial closure some submissions stated they were not supportive of a closure and suggested that a combination of other options or management arrangements proposed in Stage 1, such as total weekend and public holiday closures or additional seasonal closures may achieve the desired outcome. Several submissions stated that a complete closure of Stokes Inlet may force Licensees who fish that inlet into other estuaries such as Wilson Inlet.

4.3 Irwin Inlet Option

That consideration be given to implementing a closure for all types of netting activity from the internal mouth of the channel to the delta head/bar of Irwin Inlet.

Summary of responses to Irwin Inlet Options		
Submission Author	Support	Non Support
Industry submission		✓
Recfishwest	✓	
Groups	2	0
Licensees (SCEF)	2	3

Individual responses	40	2
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The industry submission did not support this recommendation on the basis that the closure would force effort into other areas with lower fish stocks.

They also commented that there is no stock problem in this inlet and that stock level fluctuations are all governed by the environment. They emphasised that the issue is very small and that education of recreational fishers may be warranted in response to such perception issues.

Of the forty individual submissions supporting the option, only three individuals supported their response with supporting comments. These three individuals stated that although they support the closure at the mouth, they preferred Irwin Inlet be totally closed to net fishing.

Recfishwest stated that they support additional closures for commercial and recreational netting activity near the mouths of all estuaries, particularly when the mouths are open and fish are moving in large numbers.

4.4 Restocking of Natural Waterways

Restocking Recommendation 1

That the feasibility of restocking be discussed and protocols be developed for restocking.

Summary of responses to Restocking		
Submission Author	Support	Non Support
Industry submission	-	-
Recfishwest	✓	
EGRRFAC	✓	
Groups	2	1
Licensees (SCEF)	3	3
Individual responses	40	3

While the industry submission did not record any views on restocking, one licensee stated that he did not support restocking as there is enough stock in all areas already and restocking may reduce growth rates of the present stock. Recfishwest commented that it was supportive in investigating the feasibility of restocking.

Although many respondents supported the recommendation regarding restocking, several made comments of caution. Supporters and non supporters of the recommendation made various comments:

- preference for environmental management and reducing effort.
- concern in altering natural levels or ecosystem balance.
- risk of disease.
- “The use of separate aquaculture facilities is far preferable to topping up of natural waterways as it reduces the risk of introducing disease, genetic disturbance, competition etc.”
- opposition to any topping up of natural populations given that current knowledge of fish population dynamics, fish pathology and epidemiology in natural populations is still at a very elementary level. Certainly DNA analysis for genetic studies of natural populations should be a requisite precursor for any such program.
- possible disastrous effects on whole ecosystems and certainly on other wildlife in the inlet areas. Certainly any consideration of such a proposal should be much wider than Fisheries WA and the fishing community.

5.0 GENERAL COMMENTS NOT RELATING TO SPECIFIC RECOMMENDATIONS

5.1 General Comments Relating to Sustainability, Resource Sharing and Fishing Viability and Enforcement:

The industry submission stated that “Licensees believe that the cumulative impact of the management measures proposed in Paper No.126 are overly severe and will render the fishery economically unviable.”

One fishing club stated that “the recommendations are all in the interests of maintaining our fishing stocks for the future.”

“While sustainability is certainly promoted in Discussion Paper 126, there is a feeling that sustainability is important, rights of future generations are not promoted.”

Several submissions stated concern about the effects of commercial fishing in the estuaries on the long-term sustainability of recreational fishing.

Albany Chamber of Commerce and Industry, while not addressing any specific recommendations, raised the following issues of concern:

- equity in levels for resource sharing for both recreational and commercial user groups.
- effect of the proposed reductions on viability of fishermen and implications for support industries.

Form Letter 2 comments that should there be a need to reduce fishing levels recreational and commercial fishing should be impacted equally and fairly. It also

stated that the proposed management “is overly severe” and voiced concerns regarding the supply of fresh fish.

While many submissions commented about the effects of seine nets, four submissions expressed concerns for the effects of net fishing on bycatch of undersize fish or waterbirds.

Six individuals’ submissions and Form Letter 1 recorded concerns regarding enforcement.

5.2 General Comments Relating to Latent Effort

The industry submission provided a substantial submission in relation to latent effort.

The submission quotes the ‘State of the Fisheries Report 1997/98’

“The trend of increasing nominal effort experienced during the late 1980’s and early 1990’s in most commercially fished estuaries between Albany and Augusta seems to have abated. In particular, Irwin Inlet and Oyster Harbour are now experiencing effort declines.”

The submission states that this would indicate that

“The reduction in licences in the Fishery since 1987 (from 66 to 32) has had a real impact and that fishing effort has at the least stabilised and is probably in decline.”

“Licensees generally believe that the combination of measures contained within the paper are excessive and will drive commercial effort to a level which is significantly below historical levels. Further they believe that even if all theoretical latent effort is activated through transferability it may remain at a level significantly lower than historical levels which is contrary to the stated aims of the paper.”

“The reality of latent effort activation due to transfer is not in question. However licensees contend that the magnitude of effort activation will not reach the theoretical level postulated by the paper, or at the very least, take place over a considerable period of time.”

The industry submission accepted that transferability may result in effort levels gradually increasing.

“Given this licensees support the need for periodic reviews and, if effort levels are shown to be approaching or exceeding appropriate levels, then additional management measures should be introduced as necessary.”

5.3 General Comments Relating to Management Costs

Recfishwest and several individual submissions commented that they regard the current management costs associated with the commercial fishery as inadequate.

Recfishwest stated that “the difficulties associated with management costs for this Fishery have been largely ignored but are an important driver in Fisheries WA being able to meet its stewardship responsibility for what has increasingly become a lifestyle fishery which costs the taxpayer to subsidise management costs.”

One individual remarked that the introduction of management costs on the basis of an annual licence renewal fee will convert the fishery to a truly full-time occupation.

6.0 SUMMARY

Fisheries WA appreciates the time and effort taken by the industry and community in formulating submissions. Submissions are an integral part of the management process. The large number and diverse nature of submissions shows that many stakeholders had an opportunity to provide input during the consultation period. All submissions have been analysed, responses recorded and all major comments noted.

The purpose of this “Summary of Submissions Paper” is to communicate the views and opinions of key stakeholders and the community on the proposed management strategy and recommendations in Management Paper No. 126. The number of submissions received demonstrates a substantial amount of interest in the future management of our fish resources within the South Coast Estuarine Fishery. Overall the inference from the submissions is that industry and the wider community support the development of new management arrangements which address the objectives of the review. There is, however, a wide variety of comment in relation to the extent and suite of management arrangements required to achieve the Management Paper’s objectives.

This submission paper will form part of the advice provided to the Minister for Fisheries in considering future management arrangements for the fishery.

Any outstanding issues will progress and be integrated with a number of other processes. These include the following:

- the release of the Discussion Paper titled ‘Management Directions For Western Australia’s Estuarine and Embayment Fisheries’,
- the Southern Regional Recreational Fishing Management planning process; and
- the Voluntary Guidelines for Resource Sharing process.