

FISH RESOURCES MANAGEMENT AMENDMENT BILL 2011

Correction of Second Reading Speech — Statement by Minister for Fisheries

HON NORMAN MOORE (Mining and Pastoral — Minister for Fisheries) [3.26 pm] — by leave: I will make a short statement about the *Hansard* record of the second reading speech of the Fish Resources Management Amendment Bill 2011. The first reading and second reading speech of the Fish Resources Management Amendment Bill 2011 were completed on 19 May 2011. I have been advised that there is a minor difference in the second reading speech given and the *Hansard* record. I believe the difference has occurred as the speech had dot points and the *Hansard* reporter felt that a lead-in to the point was required, which is usual practice when dot points are used. The difference occurred about halfway through the speech where the sentence commences —

Western Australia will also make recommendations to PIMC designed to increase the economic benefits to the commercial sector by enabling “stranded” units of entitlement to be temporarily transferred to other authorisation holders in the fishery.

In the second reading speech from which I read, the words “Western Australia will also make recommendations to PIMC designed to” were not included. To save any confusion, I have asked that the *Hansard* record be amended to delete the lead-in statement currently recorded and for it to be replaced with the words “The amendments will”. I also acknowledge that I failed to correct the *Hansard* green at the time.

Second Reading

Resumed from 19 May.

HON JON FORD (Mining and Pastoral) [3.28 pm]: The opposition supports the Fish Resources Management Amendment Bill 2011. The bill is a result of research and work that has been undertaken over some time, both during my time as Minister for Fisheries when Hon Matt Benson-Lidholm carried out an extensive review of the Fish Resources Management Act on my behalf, and, of course, in recent times by the current Minister for Fisheries and his officers. This is a quite complex bill. Because this area deals with many small businesses and many parties with an interest in fisheries and marine management and who want to access this valuable part of our environment and lifestyle, it is also subject to cross-jurisdictional issues and, from time to time, interference from other third parties, such as illegal foreign fishers, and changing practices. It is nearly continuously a race, from a commercial fishery and recreational fishery perspective, in keeping ahead of the efficiencies—that is, the ability of people to catch fish—to ensure that this resource is protected. It is not because people are out there actively trying to knock off all the fish in the sea; it is simply because technologies grow and people become very good at fishing. In fact, it is great that these efficiencies have occurred now; had they occurred 50 years ago, we would be facing a crisis.

However, the Fish Resources Management Amendment Bill 2011 amends the Fish Resources Management Act 1994 to do a number of things. I will not go through all of them in detail; I have one question to ask of the minister. It introduces a risk-based framework for the aquaculture industry and produces categories for which exemptions may be granted under the act. Under the act, the minister has quite a broad ability to give exemptions, and that is important, especially in emerging fisheries, and as changes are made to management plans. The bill allows the minister to delegate more powers under the act to the CEO of the Department of Fisheries and gives more direct action; it certainly allows the department to act more quickly. It will provide powers for fisheries management plans to include provisions to protect aquatic mammals. That is actually very, very important. One of the interesting things I discovered during my time in fisheries management in respect of developing a total allowable catch was that I had to ask whether there had been a division of the pie, so to speak, taking into account predation from mammals and the interaction between marine mammals and fish. Like us, interestingly enough, some mammals that live in the ocean like to eat fish! Of course, we know about interactions between mammals and fishing gear. The bill will give fisheries officers the option of issuing infringement notices for unintentional or inadvertent breaches of a management plan; that is very, very important. One of the problems we have under the current act is that the only sanctions available to the department are to take away people’s ability to fish for some time. That is onerous in some cases for minor breaches of the act and there is no encouragement or inducement for the licence holder to fix what they are doing wrong. The bill will allow fairer control of this resource and also allow fishers to access the full rock lobster quota in any given year, and that is important, especially since we have moved to a quota system. It will enable fisheries to provide information relating to the operation of an authorisation to persons acting on behalf of the authorisation holder to other relevant government departments and state–national law enforcement organisations under specified circumstances. That is important too, from a compliance perspective, with regard to sharing information about those people who may cheat and seek to undermine the intent of the legislation. That will ensure that the species of animals and organisms that live in our valuable marine environment are protected.

I thank the minister for the department's briefing on this matter. It was great, and the department has been very patient, particularly with my party, in providing a number of briefings on this bill. It is difficult legislation; if one has never really got their head into this legislation, it is quite a complex subject. The minister might be able to assist me with a concern that sectors of the aquaculture industry raised with me post-briefing about the definition of "exotic fish". There is a relevant insertion within the bill, under proposed part 9A, which states in part —

103A. Accidental introduction of exotic fish into WA waters

- (1) In this section —
intervene, in relation to fish, includes to inspect, seize and destroy fish.
- (2) This section applies in relation to any fish that are being kept for aquaculture purposes in respect of which an aquaculture licence is not required because of section 91(a).
- (3) The CEO may direct a fisheries officer to intervene in relation to that fish if, in the circumstances, intervention will or could minimise the risk of the accidental introduction of exotic fish into WA waters.

I preface my inquiry by saying that I actually support this, because feral fish are a major problem. Members may be aware that one of the problems of introduced fishes is that people do not wish to inhumanely destroy introduced species that have become pets, but instead of giving them a humane death by putting them in the freezer and letting them go to sleep, they flush them down the toilet or chuck them in the creek out the back, and all of a sudden we have introduced species knocking off all the native Australian species. An example of a local species that has been preyed upon is the poor old hairy marron, which is competing constantly for habitat with yabbies. Members may know that yabbies are an introduced species in Western Australia. The concern of the people in the aquaculture sector is how that would actually operate in terms of an aquaculture business that is breeding exotic aquarium species, and in what circumstances officers would feel that they have a need to intervene. They are worried about uncertainty in respect of how they grow their businesses and about undue interference in their businesses. Having said that, I preface my inquiry by saying that I actually support this proposed part of the legislation.

As I said before, the opposition supports this bill. Like with all these things, it is a living bill. I understand that there is a major rewrite of it and that we can expect to see a new bill in the new year. We welcome that as well. There are significant changes in this legislation, which I think will assist the department and the minister in managing this valuable resource on behalf of Western Australians and all Australians. Having said that, I wait for the minister's comments. As I said before, the opposition supports the bill.

HON GIZ WATSON (North Metropolitan) [3.39 pm]: I want to make a few comments about the bill, which the Greens (WA) will support. I think it will achieve some improvements in the management of fisheries. I want to talk a little about how it does not, in our view, fix fundamental inconsistencies and contradictions in managing the extraction of fish while at the same time seeking to manage the conservation of fish. It is exactly the same contradiction that was inherent in the situation that we had with the former Department of Conservation and Land Management, which had the legal requirement to manage production of forest products and at the same time conserve forests. That creates an impossible dilemma for legislators and for a department to adequately do both those things. I note that this amendment bill is a result of a review. The principal act is a 1994 act so it is appropriate that we should be reviewing it. I note that there was a review chaired by Hon Matt Benson-Lidholm, which I think was under the previous government, if I am correct. I cannot remember exactly what it was; Hon Jon Ford just said, but I have forgotten what he said. Anyway, there was the inquiry by Hon Matt Benson-Lidholm and, as I understand, the Department of Fisheries prepared a discussion paper entitled "A Sea Change for Aquatic Sustainability", which was produced in June 2010 as Fisheries occasional publication 79. Comment was sought on that discussion paper. As I understand, it did not actually go out for public comment; it was more selected comment, I think. Perhaps the minister can indicate that in his response whenever. I am curious about the process of engaging with this document because when I went to look for the feedback from various stakeholders to "A Sea Change for Aquatic Sustainability", it was apparent that that feedback was not public. Therefore, I could not find an indication of how organisations such as the Marine Parks and Reserves Authority and the Department of Environment and Conservation, which have a strong interest in the management of marine resources—in DEC's case, of course, the management of marine mammals and seabirds falls under its jurisdiction—responded.

Hon Norman Moore: I will respond to that when I come to finish, but the Minister for Environment and the Department of Environment and Conservation, of course, are part of the cabinet process that delivered this bill to the house.

Hon GIZ WATSON: That is fine; I simply thought it would be useful if those agencies' feedback to this document was publicly available. Maybe I just did not find them, but it seemed to me that they were not publicly available.

We are dealing with a number of amendments to different parts of the Fish Resources Management Act 1994, but I will talk a little about the background for these changes. I read with interest Fisheries research report 215 entitled "Development of an ecosystem approach to the monitoring and management of Western Australian fisheries", which was published in 2011 but I am not sure which month. The part of that report entitled "Background" is I think useful in considering this bill. "Background" on page 4 of that report states —

Internationally, there has been an increasing focus on ecosystem-based management ... Within Australia, the moves to ensure that Ecologically Sustainable Development ... processes are implemented reflected the increasing community demand for more rigorous assessments of the broader impacts of fishing at an ecosystem level. A clear example of this was the introduction of the Environmental Protection and Biodiversity Conservation ... Act 1999 by the federal government and the concomitant changes to the Wildlife Protection ... Act, 1982 —

Which regulates the exports and imports, in this case significantly of seafood. The report continues —

The outcome of this act was that exports are not permitted from WA's (and all Australian) commercial fisheries unless those fisheries are capable of meeting the requirements of the "Guidelines for the Ecologically Sustainable Management of Fisheries". These comprehensive assessments, which are administered by the federal Department of the Environment, Water, Heritage and the Arts ... were to be completed before the end of 2004. In addition to assessing the status of the target species, the assessments cover issues related to the broader ecosystem and most also result in a series of recommendations that will need to be fulfilled before the next assessment of the fishery in five years time.

The National ESD framework, which was developed as part of the FRDC's ESD Reporting and Assessment subprogram, was designed to facilitate the completion of these ESD/EPBC reports for each fishery ... The current ESD framework and the EPBC assessments examine the effects of an individual fishery on the ecosystem. However, it is becoming clear that, in many circumstances, separating the potential impact of each fishery on the community structure of an area may not be either possible or even appropriate given the overlapping nature of many fishing activities (i.e. the same species may be caught by many fisheries). Within WA, the shift towards an Integrated Fisheries Management ... approach has also occurred due to the recognition of the significant interactions between fisheries and that the cumulative impacts of multi-sector fishing within a region need to be managed.

Given the widespread nature of these issues, the Natural Resource Management Standing Committee ... supported an initiative to develop an extension to the current ESD framework so that it can deal with cross-fishery issues (such as cumulative impacts and allocation amongst groups) up to multi-sector analyses within the bioregion, leading to regional marine planning which is synonymous with Integrated Ocean Management. A major outcome from this extended framework was the requirement to assess the ecosystem structure within a bioregional context, rather than at an individual fishery level.

The completion of any ecosystem assessment will require appropriate data. Indeed, the quality of such data has been identified in FRDC 2000/311 as being critical for the development of models describing the impact of fishing on exploited marine ecosystems. However, if ecosystem assessments require the establishment of new, dedicated monitoring programs, this would, in most circumstances, be a very expensive and time-consuming operation. Moreover, as these programs would only begin collecting data now, most would suffer from a lack of any historical information for comparisons. Consequently, before any new program is established, the potential for using data already being collected needs to be assessed and, as recognised at its September 2004 meeting by the Research Steering Committee for FRDC ... if new data are to be collected, the key data to be collected in the future need to be identified.

Collectively, fishing activities in most regions catch a large number of species. These species usually include a broad range of sizes, habits, trophic levels and other characteristics that cover many elements of the ecosystem. It is possible, therefore, that the information within the long term datasets generated from all fishing activities in a region may reflect the structure of the local ecosystem and hence any changes that may have occurred through time.

The reason that I raised this is that the driving impetus in shifting to an ecosystem-based approach in the marine environment has come from a lot of these commonwealth initiatives. In my previous work I was involved in the commonwealth's development, I guess, of some of these approaches to ecosystem management in the marine

environment. I acknowledge that the amendments the Fish Resources Management Amendment Bill 2011 contemplates will assist in shifting the Western Australian fisheries management model to a sounder legal basis to deal with an ecosystem-based management system. That is why we are happy to support the bill; however, the bill does not tackle fundamental problems inherent in fisheries management. I just wanted to explain that.

In our view there is an urgent need to develop legislation that will support ecosystem-based management of both aquatic and terrestrial environments. Aquatic natural resource management in Western Australia is currently fragmented and dysfunctional and is clearly failing to protect fish stocks, aquatic biodiversity and ecosystem processes in general.

Hon Norman Moore: Who said that? Are you quoting from somewhere?

Hon GIZ WATSON: Yes, I was going to refer to that. I am quoting from a submission that was provided by the Conservation Council of Western Australia to an earlier discussion document about fisheries management. It does not have a date on it but it is probably about six or seven years old.

Hon Norman Moore: So that could be a bit inaccurate if it is six or seven years old.

Hon GIZ WATSON: Members can judge whether it is inaccurate. The points that are made in it are still pertinent. We recognise that a substantial number of the fisheries in Western Australia are well managed and managed sustainably, at least in terms of fisheries management. I was reading an interesting article today—it was just released today—which stated that when it comes to sustainable fisheries, as those who know about fisheries management will understand, it still means that the overall stock of the target species is reduced to a certain level and then an assessment is made of whether that fishery is sustainable and whether a certain portion of that stock can continue to be taken out at a level that does not —

Hon Norman Moore: Doesn't go below the threshold.

Hon GIZ WATSON: Yes, that does not go below the threshold. This article that I was reading recommended that stock be kept at about 75 per cent whereas most fisheries in Australia are looking at about 40 per cent. Sustainable fishing is being maintained but there is a substantial reduction in the biomass that is being fished. The fisheries definition is sustainable but on an ecosystem basis, there was already a fairly significant impact in reducing the stock of that particular target species.

Hon Norman Moore: If some of your colleagues had their way, the threshold would be 100 per cent.

Hon GIZ WATSON: I do not think anybody has argued that.

Hon Alison Xamon: Hon Giz Watson loves her fishing.

Hon GIZ WATSON: The honourable member knows that I enjoy fishing.

Hon Norman Moore: I hope you put them back in.

Hon GIZ WATSON: The minister should not encourage me.

The points that are made in the submission are still relevant. I continue with those remarks. In relation to the point about failing to protect fish stocks, I am not saying that is across the board. Recently we had the discussion in the public arena and in this Parliament about the state of the west coast fisheries and highly desirable fish such as dhufish and baldchin groper. I know that significant management action was taken to address that but, nevertheless, those fish stocks have become precarious when it comes to their survival.

Hon Norman Moore: I don't think that's the view of the latest scientific research done by Murdoch, I think it was, which suggested quite differently from what you are saying.

Hon GIZ WATSON: That is probably the document that I am referring to.

Hon Norman Moore: It came out about six weeks ago.

Hon GIZ WATSON: It is a report that was prepared in conjunction with Murdoch University and the Fisheries Research and Development Corporation. That is what I was quoting from initially. It states that we are heading in the right direction in ecosystem management in Western Australia. They are basically supportive. That is not the point that I want to make. I do not want to take away from that. I want to point out that we do not have it all right. As the minister knows, I have spoken and asked questions many times in this place over the whole period I have been a member of Parliament about school shark and what is happening with the impact on a number of shark species in the southern shark fishery. I know that that shark fishery is still having problems because the commonwealth does assessments of the status of different fisheries. It audits fishing right around Australia and consistently says that the impact on those long-lived high order predators in the marine ecosystem remains problematic. There are relatively indiscriminate means of taking shark, such as longline and gill netting which take not only a lot of shark, but also bycatch.

Hon Norman Moore: I think you'll find that that's diminished over time. It also happens to be the source of most fish and chips.

Hon GIZ WATSON: Sure.

Hon Norman Moore: You are aware the commonwealth is about to put a great big green blob over that part of the ocean.

Hon GIZ WATSON: Fantastic. I am very aware. I actually wrote a submission on it.

Hon Norman Moore: I just hope you don't like fish and chips.

Hon GIZ WATSON: I do not eat shark for another reason; that is, because of the amount of heavy metals in it. That may be what will ultimately save people from the sharks.

Hon Norman Moore: It's a wonder you people don't all starve to death when you think about the things you don't eat.

Hon GIZ WATSON: There are quite a few alternatives to eating shark.

Hon Liz Behjat: I can hear a carrot screaming out!

Hon GIZ WATSON: Where was I? The document states —

The State's fisheries management and marine reserve systems need to be integrated in a common ecosystem-based conservation strategy. **However these reforms cannot be achieved by new fisheries legislation alone or by a fisheries agency with an internal conflict of interest between commercial exploitation and biodiversity conservation.** The proposed framework, however, would have merit if it was placed in a broader context of more coherent biodiversity conservation and management.

Collectively the key problems are these:

- Conventional fisheries management approaches have failed to protect our fish stocks ...

Hon Norman Moore: I am sorry to interrupt but what are you quoting from, so we know?

Hon GIZ WATSON: This is what I mentioned before.

Hon Norman Moore: The Conservation Council submission?

Hon GIZ WATSON: Yes.

Hon Norman Moore: Of seven or eight years ago?

Hon GIZ WATSON: It does not have a date on it.

Hon Norman Moore: That's okay, as long as I know what it is. I need to know who is saying this so I can respond.

Hon GIZ WATSON: Shortly I will quote from the submission specifically in relation to this document. I wanted to set the context. The reason that I am referring to this document is because there was considerable discussion in the conservation sector—I was part of that—around the time we were looking at the introduction of a biodiversity conservation bill under the previous government. The argument, if I get the chance to finish it, is that as long as we have that inherent problem of managing for both the exploitation of the fisheries and the conservation of it at the same time and we do not have any overarching legislation that protects biodiversity, we will have the same issues that we had in the forests that ultimately led to huge public engagement on the debate about the future of the forests and about what we were conserving and what we were cutting down. The same debate is relevant in a marine context. When I say that we failed to protect fish stocks, I refer to the rock lobster sector, which we know is in trouble, although we do not quite know why.

Hon Norman Moore: It is being fixed.

Hon GIZ WATSON: Hopefully it will be fixed. It is of concern to me when we have a lot of self-congratulatory comments about how we have the world's first accredited sustainable fishery in the rock lobster —

Hon Norman Moore: It still is accredited by MSC, as recently as this year.

Hon GIZ WATSON: I am surprised that it continues to be.

Hon Norman Moore: It does. Are you casting a bad reflection on MSC?

Hon GIZ WATSON: Yes, I am actually. This is going to get exhausting if we have this conversation for the rest of the day.

Hon Norman Moore: I think it is a very interesting conversation; I am enjoying it very much.

Hon GIZ WATSON: I am very surprised that the Marine Stewardship Council continues to give that level of recognition given that there was such a sharp decline in crayfish numbers. I do not quite know why. Hopefully, the numbers are on the way back up. I hope the minister's confidence is reflected in a full recovery in rock lobster. It is going to take a while before we know that—I imagine it will take several years.

Hon Norman Moore: You're quite right, but they have taken a dramatic cut—like about a 50 per cent cut—in their catch.

Hon GIZ WATSON: Yes.

So there is the rock lobster, the demersal finfish, which I spoke about earlier, and sharks. The submission continues —

Conventional fisheries management approaches have failed to protect our fish stocks ... particularly in a rapidly changing ocean climate that is already producing large and unpredictable variations in recruitment.

To be fair to this minister and previous ministers, the rock lobster issue is probably to do with ocean warming and the effects of climate change. That is probably having quite a significant bearing, but I do not know, and I do not know that Fisheries research knows either, but there certainly has been a very sudden change. Because it is fairly tricky to follow the habits of crayfish and to know where they go and how they move around in the system, we do not actually know quite what is going on. I am probably going to have to reduce the amount of interjections I respond to if I am going to get through this!

According to this submission, the other key problem is that —

The current marine reserve process is not working. It is not establishing ecologically functional sanctuaries for biodiversity conservation and therefore not creating the benefits associated with proper conservation of the various marine habitats of WA. Marine reserves provide many more benefits than meeting some 'social' objectives as implied ...

- These benefits include:
 - Effective reference areas as part of an adaptive management regime. Such areas are equally necessary in monitoring designs that assess the ecological impacts of fisheries.
 - Baseline areas for research that will help understand the effects of climate change in WA waters.
 - A safety net for fished species in case of either adverse environmental events or failed (or no) management
- The functions of specific marine reserves need to be made explicit in terms of overall ecosystem-based management strategies and they need to be designed to do the job.
- With the current legislation marine species are divided into three acts (Fisheries, Pearling and Wildlife Conservation). Yet, marine ecosystem-based management requires the fully integrated management of target fish species, non-target fish species and protected species including sea turtles, seabirds and marine mammals.

Members may be aware that those species actually fall under the legislative protection of the Wildlife Conservation Act and the CALM act, not Fisheries. The submission continues —

The wildlife in marine environment must fall within one jurisdiction to achieve real ecosystem based management. For example, at present objectives for protected species are set by fisheries biologists in DoF risk assessment processes and marine wildlife managers in this State (and the Commonwealth) do not take responsibility for fisheries bycatch. Yet, bycatch must be integrated into overall objectives (preferably quantitative) set for protected species / populations within each of the ecosystem-based management units.

- Ecosystem-based management objectives and the resulting comprehensive marine planning and management strategies, such as the proposed statutory 'Aquatic Resource Management Strategy', would provide the basis for marine management in WA. The over-arching plan would need to recognize the environmental policy development and environmental assessment processes conducted by the EPA (e.g. Water Quality and Benthic Producer Habitat policies). Also, such plans should include marine-based aquaculture areas and coastal development generally as well as fisheries management.

- Overlapping jurisdiction in the marine environment causes problems between the two departments with the most responsibilities.

This is well known and long running. The submission continues —

Also, the current dysfunctional relationship between DoF (fisheries managers) and DEC (wildlife managers) makes ecosystem-based management impossible. The amalgamation of policy and onground services would create excellent cost – savings and efficiencies across government.

I will not continue on with that, but basically that submission recommends that the only way to deal with the contradictions that exist in fisheries management legislation is to have an overarching piece of legislation—a biodiversity conservation act—that includes marine organisms under that umbrella legislation. I do not know whether this government is pursuing that; I will be asking questions along those lines in the near future. We would argue that that cannot be done for a full ecosystem management as long as there is an agency and a department that is tasked with both the exploitation and conservation of marine organisms.

I want to make some further observations on the Fish Resources Management Amendment Bill 2011 based on the analysis from the Conservation Council, because I think it has done a very good job. It states, in its submission to the proposed amendments to the Fish Resources Management Act—I beg members' pardon, this is an earlier document that, in effect, covers the same ground.

I will move on to some specific questions about the bill. I refer to the framework document that was put out for comment, as it seems to me that it underlies the policy shift in this bill. How the present single species fisheries management can be changed to a whole-of-ecosystem management is not terribly well explained in that document. Nor does it articulate how the changes that are reflected in this bill will actually achieve a comprehensive ecosystem.

Hon Norman Moore: Is that the “Seachange” document you’re talking about?

Hon GIZ WATSON: Yes.

Hon Norman Moore: Can I explain something about that so that we don’t go down the wrong path?

Hon GIZ WATSON: Yes.

Hon Norman Moore: That document relates to the complete rewrite of fisheries management legislation, which will come to the house next year, and so the submission I think you’re talking about from the Conservation Council probably relates to that particular proposition. This bill is tidying up the existing FRMA as an interim measure, pending the complete rewrite of the legislation. So a lot of the issues you are raising will in fact be dealt with, without any doubt, between now and when we bring the new legislation in next year.

Hon GIZ WATSON: Excellent. That might explain why some of my questions did not seem to be answered by what was in this bill.

Hon Norman Moore: This bill doesn’t contain a lot of that stuff, because it is not relevant yet.

Hon GIZ WATSON: So a further amendment that will —

Hon Norman Moore: It is a major rewrite of all the legislation; it is a completely new act. This is an interim bill to fix up the problems with the FRMA now, and the comments you’re making are part of a submission to that rewriting of the act.

Hon GIZ WATSON: All right; fine. I think I have that clear in my head now. I apologise; I have had the benefit of being briefed on this bill, although it was a little while ago now, and, for whatever reason, it was not clear to me that the two were not one and the same thing. I am happy to conclude my comments and save my further analysis for when we are dealing with —

Hon Norman Moore: You’ll have as much time as you need next year to go into the new bill.

Hon GIZ WATSON: That will be useful, and I would also be interested to know what stage that particular process is at because that might answer the question on the consultation process and how that is occurring. If the minister could perhaps give us an update on that, that would be useful.

Hon Norman Moore: I’d be happy to.

HON MATT BENSON-LIDHOLM (Agricultural) [4.09 pm]: I want to make just a few remarks on the Fish Resources Management Amendment Bill 2011, particularly given Hon Jon Ford, in his capacity as Minister for Fisheries, albeit five or so years ago, asked me to chair the review that subsequently caused the significant changes to the 1994 act. I have to say from the very outset that I found that experience very rewarding, albeit I

come from an extended family who are involved in commercial fishing on the south coast, so my capacity to perhaps see —

Hon Norman Moore: They catch sharks, don't they?

Hon MATT BENSON-LIDHOLM: That is an interesting comment, honourable leader. I do not know quite where Hon Giz Watson gets her information on sharks from.

Hon Giz Watson: From the commonwealth fisheries official statement.

Hon MATT BENSON-LIDHOLM: Let me assure members that I do not glow in the dark! But we will not go down that pathway. I can assure members that my research seems to indicate that on the south coast, given the cleanliness of the water in that part of the world, the issues associated with the consumption of sharks are next to nil. No matter what sort of fish they are, by definition they will contain some heavy metals. Even those nice little sand whiting, herring and skippy that Hon Giz Watson and I catch off a certain rock west of Albany probably contain similar heavy metals. I am obfuscating now!

Hon Giz Watson: They have at least 100 times less concentration. Each time you go up a tropic level, you have to multiply by 10. Sharks have 1 000 times more mercury.

Hon MATT BENSON-LIDHOLM: That is true. Maybe I would be giving something away if I suggested to the member that most of the sharks I catch are small, so they have not quite reached that capacity, if I can put in a plug there!

Hon Ed Dermer interjected.

Hon MATT BENSON-LIDHOLM: I do not think there are any size limits on sharks. I might be wrong; perhaps I should ask the minister!

[Quorum formed.]

Hon MATT BENSON-LIDHOLM: I must confess that I do not have the final report of the initial review committee that I chaired, but I have a draft so I ask members to bear with me. If I manage to make a mistake or two, I apologise. Hon Jon Ford has certainly outlined the opposition's approach to and sentiments on this bill. We are obviously supportive of it. I do not want to go into the nature of the submissions and recommendations, suffice to say that certainly the work that went into the preparation of my report involved a lengthy sort of process. Information was taken from literally across the length and breadth of Western Australia and I think, in an industry sense, comments that were forthcoming indicated that there is almost unanimous support—almost, but not quite.

I will make a few points about the process we engaged in. As has already been pointed out by members, after some 12 years, the Fish Resources Management Act 1994 was deemed to be too narrow in concept to support the rapid changes that will continue to occur in the industry. That was something Hon Jon Ford alluded to. I might add that the 1994 act replaced the 1905 act. I trust it will not be another 90 or so years between this and the next act.

Hon Norman Moore: I'm hoping it'll be so good that it will.

Hon MATT BENSON-LIDHOLM: Maybe it will become a self-perpetuating document given the work that the minister and his staff put into it, as well as the work of the review committee I chaired. We can only hope on that score, but I dare say neither of us will be around to see that occur. I acknowledge the participants of the review I chaired.

Debate interrupted, pursuant to temporary orders.

[Continued on page 5682.]

Sitting suspended from 4.15 to 4.30 pm