

**WEST COAST DEMERSAL SCALEFISH MANAGEMENT PLAN -
METROPOLITAN FISHING ZONE**

Urgency Motion

The PRESIDENT: I have received the following letter -

Dear Mr President

I hereby give notice that today, pursuant to standing order 72, I intend to move

“That as a matter of urgency this house expresses its concern at the lack of consultation by the Government with both the Commercial and Recreational Fishing sectors prior to the implementation of an exclusion zone between Lancelin and Mandurah by commercial fishers only.”

Yours sincerely

Hon Bruce Donaldson MLC

The member will require the support of four members in order to move the motion.

[At least four members rose in their places.]

HON BRUCE DONALDSON (Agricultural) [3.48 pm]: I move the motion.

This debate would not be taking place today if consultation, due process and natural justice had been applied. Both the Gallop and Carpenter governments indicated quite clearly that they believed in consultation, transparency and accountability. That has not occurred. It was interesting to go down to Fremantle last Thursday morning for the last supper; that is, the last morning on which a fish could be brought into Fremantle by any commercial fisherman. I am talking about our category one fish of dhufish and pink snapper. The fishermen and those in the retail or restaurant trade have every right to be angry about the lack of consultation. There was just a unilateral announcement using section 43 of the Fisheries Management Act 1994. The act was never designed to do that; it was designed to give the minister certain powers. I know that the Leader of the House used those powers to give exemptions, and that has been very fruitful for a number of fishermen over that period of time. However, the act should never have been used for the purpose of making that announcement. I acknowledge, as a person who has come out of local government, the very strong support of the City of Fremantle, through its mayor, Peter Tagliaferri - who is among the people in the gallery today - of the fishing industry in Fremantle, from the fishers right through to the retail and restaurant trade. The great outdoor lifestyle and quality of life in Fremantle has been based around the fishing industry for many, many years.

It is interesting to note some of the figures in the catch records. In 2005-06, the commercial catch of dhufish was 42 tonnes, and of snapper was 41 tonnes. The recreational catch of dhufish was 65 tonnes, and of snapper was 20 tonnes. This is in the metropolitan zone. For both species, that amounted to 83 tonnes for commercial, and 85 tonnes for recreational. As we all know, we live in a very affluent society. About 85 000 recreational and pleasure craft are registered in Western Australia. That is a huge number. It is one of the highest rates per capita in Australia. Marine brokers and boat salespeople are saying they could sell a lot more pleasure craft and launches if more boat pens were available. That is a sign of the times, I guess.

Technology is also playing a very big role in the lives of recreational fishers through the advent of global positioning system devices. That is great technology. However, it is putting huge pressure on one of our finite resources - the fish stocks of Western Australia. Many fishers now use depth sounders and even sonar sounders. A solar sounder costs about \$35 000. I believe that only one sonar sounder has been sold to a commercial fisherman; the remainder have been sold to recreational fishermen. The Leader of the House has been both the shadow Minister for Fisheries and the Minister for Fisheries. I am sure the Leader of the House has been out fishing many times and would remember how fishers used to chuck out a marker buoy after they had caught their first pink snapper or dhufish. However, they were bobbing around on the ocean, with no landmarks, and they did not know what the current or the tides were. Therefore, it is no wonder that after they had caught their first dhufish and had drifted past their marker buoy, they never managed to catch another dhufish. That is because dhufish are very localised fish, and they were probably almost a kilometre away from where they had caught their first dhufish. Today, with GPS, bang - they are right back on the same spot. As one recreational boatie told me the other morning, GPS has taken all the fun and sport out of catching fish.

We should hold a mini summit on the fishing industry. Summits have been held on water and on drugs. There are many precedents around the world of fisheries that have collapsed due to the pressure of people. It is not as easy as saying we want to reduce the catch by 50 per cent, so the commercial fishermen are out. That sends the wrong message to the recreational fishers. It also sends the wrong message to the public. Therefore, we need to hold a summit.

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It is interesting to look at some of the statistics in “Fisheries Management Paper No. 225”. That paper, which was released in September 2007, shows that the take of dhufish by the recreational sector was 10 per cent in January, nine per cent in February, six per cent in March, nine per cent in April, eight per cent in May, 11 per cent in June, six per cent in July, nine per cent in August, six per cent in September, 15 per cent in October, five per cent in November, and six per cent in December. That really surprised me, because I thought the catch rate would have been higher during the school holidays, for example. Dhufish spawn between November and March. The west coast bioregion pink snapper spawn mainly between July and October in the northern region, between October and January in Cockburn Sound, and between December and January in the southern region. That is in the metropolitan and south west zones. A lot of commercial fishermen, and also, interestingly, a lot of recreational boaties, have said to me that they have a vested interest in making sure fish stocks continue in the future. The logo “Fish for the Future” has been around for a long time. I have always likened commercial fishermen to farmers. If farmers mine their land, they will finish up with a property that will not produce anything. Commercial fishermen have a vested interest in making sure that fish stocks are not brought down to a level that will cause the fishery to close. Recreational fishermen may not fish to sustain their livelihood. However, as time goes on, many recreational boat fishermen will begin to realise that if they want to be able to catch fish in the future, they will need to share some of the pain. What worries me is that 20 per cent of the fish that is consumed in Western Australia is caught by the recreational sector, and 80 per cent is purchased from the commercial sector. If we consider that in the metropolitan community, 50 per cent of the fishers are recreational and 50 per cent are commercial, it does not equate that 50 per cent of the resource provides 80 per cent of the fish that is consumed, and 50 per cent of the resource provides the other 20 per cent that is consumed. That does not make sense.

I turn now to “Labor’s plan for fisheries”, which was put out in 2005. I am sure the Leader of the House would be well aware of this document. It states that the Gallop government will -

Continue its strong commitment to the Integrated Fisheries Management Process with \$4.9 million funding over the next four years.

It states also -

Under the Gallop Government the concept of Integrated Fisheries Management has been developed to the point where after extensive consultation the policy has been finalised. The policy, which has general acceptance by stakeholders, paves the way for a new era in fisheries management in Western Australia.

I am reading from the manifesto of the Labor Party, which I know the Leader of the House supports. It states also -

An Integrated Fisheries Allocation Advisory Committee comprising three prominent Western Australians has been appointed to steer the process and provide advice on allocations to sectors. An IFM manager has been appointed to the Department of Fisheries to lead the Department’s IFM program.

The Gallop Government will:

- Within the next term of government place the following fisheries under an IFM management framework: -

That includes the west coast and Gascoyne finfish fisheries -

- . . .
- Consult with the community extensively throughout the process.
- . . .
- Ensure the allocation processes within the IFM framework are transparent and provide the opportunity for the community, as well as the relevant sector interests, to have input into the decision making.

That was completely absent in this case. That is very disappointing.

Dr Rod Lenanton, senior principal research scientist at the Department of Fisheries, addressed some of the public meetings that were held. It was quite clear, as he saw it, that an immediate and substantial reduction in the level of fishing mortality on demersal fish stocks was needed and, therefore, people needed to urgently limit effort and catch. As all sectors are responsible for the level of the impact, holistic cross-sectoral management is required. There is inherent high risk in leaving any one sector unmanaged. I do not know whether everybody has seen the

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papers that have been sent out for people to look at so that they can make submissions on the handling of recreational fishing. It all should have been done at the same time. To leave it for 10 months is not what is envisaged as good, sound management. It is a serious situation, and we all know it. There is a clear recognition that people from the commercial and recreational sectors should sit around a table. We must move away from blaming one another, because that is not in the best interests of the fisheries in Western Australia.

The sharing and allocation of resources was a key plank of the policy that was supported by Monty House when minister and subsequently the current Leader of the House, when he was Minister for Fisheries. A key plank of policy was to look at how we identify where the take is and manage it to make sure that fish stocks are not being depleted at a rate that will result in a fishery collapsing. It is not correct to send the message to recreational boat fishers, "She's right; we've fixed the problem", because we have not fixed the problem. The figure has been given that commercial fishers take three per cent of the metropolitan area stock, calculated as a percentage of the total volumetric tonnage caught around Western Australia. That is a false figure. That so-called three per cent, which is 80-odd tonnes caught in the metropolitan zone by commercial fishermen, mostly goes to restaurants and the domestic market in Western Australia. Someone said that the exclusion zone would not affect the price of fish. However, if somebody wanted to buy me 10 kilograms of dhufish fillets, he would need to take a large credit card with him because it would cost \$780. The price of pink snapper has already increased by 25 to 30 per cent.

People might say that this exclusion zone is a great conservation measure, but there is in addition the removal of the wetline application, which the review into rock lobster fisheries recommended. Fishermen operating out of Fremantle cannot take their gear off the boat and catch a fish for their family. Members might work out what that means to an enterprise worth \$3 million or \$4 million with a \$500 000 boat. Those fishermen cannot have a by-catch because of the exclusion zone between Mandurah and Lancelin.

HON MURRAY CRIDDLE (Agricultural) [4.05 pm]: Hon Bruce Donaldson has put forward the argument on the fisheries. It is a question of balance within the catch and who gets what, which is what integrated fisheries management is all about. I have observed this industry for the 15 years that I have been in Parliament. I have had the opportunity to inspect fish stocks around the world and to look at fisheries up and down the Western Australian coast. On any judgement, fisheries are coming under enormous pressure. I think everybody admits the fish stock is under enormous pressure. The whole idea of integrated fisheries management was to give commercial and recreational fishers the opportunity to have a fair share of the action. Of course, it is well known that the commercial sector provides 80 per cent of the fish eaten in Western Australia. I am one who has to buy fish because I cannot catch them.

I recognise the pressure from the recreational boat fleet because I was Minister for Transport some years ago when the size of the fleet was about 50 000 boats. The fleet is now close to 80 000 boats, half of which are from the area from Lancelin to Mandurah. They have an enormous impact on the fisheries in the area and particularly on dhufish, snapper and baldchin. The issue is similar to the argument that I ran in this place on rock lobsters. The loss to the commercial fishery will have an enormous impact on society itself. It will have a very large impact on those 30 or so commercial fishermen who will be affected. It will also impact on onshore operations of fish processing and those who buy fresh fish. Western Australians are very fortunate because they have the best fish. That is the commercial fishery aspect.

The figures show that the commercial dhufish take in Western Australia was 190 tonnes in 1996-97 and 203 tonnes in 2005-06. The recreational take in 1996-97 was 125 tonnes. The figures vary. The document on the management of the recreational catch of demersal scalefish in the west coast fisheries refers to a figure of 186 tonnes. The "Fisheries Research Report" contains a figure of 206 tonnes in 2005-06. That discrepancy in the figures must be sorted out. The pink snapper commercial take was 286 tonnes in 1996-97 and 293 tonnes in 2005-06. The recreational catch went from 25 to 57 tonnes. Recreational fishers therefore have an enormous advantage. Whether we will reduce the take by 50 per cent is debatable because the recreational fisher will have the opportunity to push these figures up quite markedly. Hon Bruce Donaldson has pointed out the technology of the global positioning system, which means that recreational fishermen can very accurately return to the spot where they previously fished. They also have echo sounders, depth sounders and all the other technology to indicate where fish are, which gives them the opportunity to drop a line and catch them.

I find it very difficult to come to terms with the whole scenario of not having a balanced approach to the commercial fishery and recreational fishery in this particular decision. I will be very interested to hear the Minister for Fisheries explain to me, the Parliament and people who are interested in fisheries how he has come to the conclusion that he will penalise the commercial fishermen and allow recreational fishermen to catch fish in that area. It must be recognised that if we exclude the commercial fishermen from that area, they will fish in other areas unless there is a totally integrated fisheries management plan for all the fisheries. This is about people as well as about the fisheries, and who gets what share of the fisheries. I will be interested to hear the

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minister's remarks when he explains how he and the government came to their conclusion on this fishery and the impact of the exclusion zone on not only the commercial fishery, but also businesses in towns such as Fremantle.

HON KIM CHANCE (Agricultural - Leader of the House) [4.09 pm]: I thank Hon Bruce Donaldson and Hon Murray Criddle for their comments. May I welcome members of the commercial fishing industry to the debate. It is always a pleasure to have people present who are closely involved in the industry listening to a debate about their sector. I regret that the Minister for Fisheries is not here today; we have known for some time that he would not be here today. In discussion with Hon Bruce Donaldson after he had proposed to bring this debate on today, I indicated that I understood that the Minister for Fisheries would have preferred to deal with this motion as a substantive motion. I think Hon Bruce Donaldson agrees that that is still necessary. I make the point that although this debate is necessarily limited in both time and scope, the government hopes that there will be broader debate in a substantive form at some later date when the minister is here.

Hon Bruce Donaldson opened his comments by saying that this is a debate that should never have had to happen, or words to that effect. I probably agree with him, although for different reasons. Given the pressure that we place on our fish stocks, it is a debate that was inevitable at some time. We may all agree with that, but, again, for different reasons. For those members who are not aware of what the metropolitan fishing zone is, I will explain one or two things, because we have skipped over them a little. In fact, I do not think there is such an entity as the metropolitan fishing zone; it is just a phrase that we use. It is the area from latitude 31 degrees south - roughly at Lancelin - to latitude 33 degrees south, just south of Mandurah. It is a component of the west coast bioregion, which is one of four fishing bioregions in the state of Western Australia. Some 120 nautical miles are covered within those two degrees of latitude. It is a relatively small area. It is fished by a limited number of commercial fishers. There are a limited number of commercial fishers with a heavy involvement in fishing that area because there is some degree of crossover.

I will say why I believe this is a debate that had inevitably to happen. The wetline review identified a medium risk target catch for demersal species of 116 tonnes per year within that 120 nautical mile area. That is a best scientific guess at the sustainable catch for the region. On that basis, the closure involves the removal of fishing authorisations and entitlements that would otherwise permit the annual commercial take for demersal species only - which does not include sharks - of 148 tonnes. More has come out as a result of this decision than the entire sustainable catch of the fishery, leaving aside all of the recreational take. I am indeed a supporter of integrated fisheries management; I saw, and still see, integrated fisheries management as being the only responsible way in which we can end the conflict between competing interests wanting to use a limited and finite resource. It will be finite if it is not managed properly; it is a limited resource.

Notwithstanding that, there is enormous pressure on that part of the fishery - namely, the 120 nautical miles within the two degrees of latitude - alongside where the vast bulk of Western Australia's population actually lives. I think Hon Bruce Donaldson said that of 85 000 vessels, about 80 000 were in that zone. It is a huge concentration of vessels. The minister faced a situation in which there could never be an equitable sharing arrangement. It was never going to be possible in the long term to equitably share the amount of resource out there. It is sad, but I regret that it is probably true. Had a division of the sustainable portion of the catch been made between the recreational sector and the commercial sector - which, if the figures are correct, is 116 tonnes a year - the catch available to the remaining commercial sector would have been so small as to make the operations non-viable. Again, it is sad, and nobody regrets it more than I do. However, even if the commercial fishery had been cut down to one or two vessels, it would still have been a matter of ongoing conflict that would require resolution further down the track. I agree with Hon Bruce Donaldson that it is absolutely necessary for controls to be exerted over the recreational sector. If we were to exclude the commercial sector from those 120 nautical miles, all we would achieve would be to give carte blanche to the recreational sector, which now has technological capacity available to it that was not even available to the commercial sector just a few years ago, and we would still kill the fishery.

We must get on top of this issue. In 2003 there was a 50 per cent reduction in bag limits. That is still not enough. By the standards of the crisis situation that was presented to the minister, the impact of that change, which at the time we considered to be fairly draconian, upon the recreational fishery is actually laughable. We have to move on.

I am sorry that this is such a limited debate, because a lot of things need to be said. The sustainability of key demersal species, particularly dhufish, pink snapper and baldchin groper, has been of concern to the Western Australian government and a range of commercial groups for a long time. In order to address those issues, the minister announced his fishing reform package on 17 September. Minister Ford was in discussions with the Western Australian Fishing Industry Council for more than six months prior to that announcement. He informed WAFIC that changes to commercial fishing in the metropolitan area would be essential in order to ensure the sustainability of those iconic demersal scalefish. There is no requirement in law for compensation arising from

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that closure, but as part of this reform and the use of the section 43 order, a package of some \$7.5 million - it may be \$7.3 million - has been announced. The decision to introduce the metropolitan fishing zone ban alongside the wetline review followed the presentation of new research to Minister Ford. I referred to that evidence a while ago. The new research showed that an immediate reduction in catches of key demersal scalefish of about 50 per cent would be required in order to ensure the sustainability of these fish in what we are referring to as the metropolitan zone. The Minister for Fisheries considered the following points in reaching that decision: that the area referred to as the metropolitan zone attracts about two-thirds of all recreational fishing in the area between Kalbarri and Augusta; that, as Hon Bruce Donaldson mentioned, commercial fishers of demersal species in the metropolitan zone represent about three per cent of the state's entire catch of demersal scalefish; that if there was to have been a shared reduction between commercial and recreational sectors, it would likely have made the remaining commercial sector completely unviable; and that compensation would be made available for affected commercial fishers.

I have run out of time. I mentioned earlier that I look forward to engagement in this debate in the form of a substantive motion. I still look forward to that and I hope it happens.

HON GIZ WATSON (North Metropolitan) [4.19 pm]: I want to make a few comments on the urgency motion. I acknowledge that we are confronting a very serious situation with the potential collapse of these fishing stocks. I suggest that it has probably been predicted by some people. It has resulted in a dramatic and drastic response. From the information that I have been provided with, I understand the situation and I think that the response has been warranted, although I share with other members the concern that if we do not deal with the pressure from recreational fishers, we will still face the collapse of these fish stocks.

Although the debate so far has emphasised the fishery, fish stocks and the livelihoods associated with the fishery, which is totally reasonable, we also must realise that this is an indicator of a much more serious and long-term problem. What else is changing in the marine ecosystem, because obviously these fish stocks are only part of that system? The question in my mind is: how did this happen? The Department of Fisheries boasted not so long ago that we had the best-managed fisheries in the world. I always worried about it saying those sorts of things because it is a dangerous sort of sense of self-satisfaction. Having said that, I think the concern is that the research has come too late. From the briefing that I received, the situation is very perilous. It says to me that the current fisheries management tools are inadequate, particularly in an area that is heavily fished by the bulk of the recreational fishing population; that is, Perth. It is interesting to note that it seems that one of the management tools that are inadvertently having some effect is the lack of boat ramps. There will probably be even more pressure as the population gets richer, because one of the things that people buy when they have disposable incomes is a power boat and very expensive equipment to go in it, including, as other members mentioned, GPS and sonar equipment, which takes the random element out of catching fish. The lack of boat ramps is restricting some of the effort in the recreational fishing sector.

Another matter that we need to consider - I would be interested to hear about it when we have a fuller debate on this issue in this place - is how much of the impact on these fish stocks is coming from the pressure on their nursery areas. I am thinking in particular of Cockburn Sound, which I understand is the main nursery area for the snapper stock. I would argue that as we put more industry and development into Cockburn Sound - I know there is some research in this area - it is also likely to impact on the stock coming through from Cockburn Sound. We have a very significant challenge on our hands to ensure not only that there are fish for the future, but also that the health of the marine ecosystem in the Perth region is better managed.

I conclude by saying that I hope that the government and the Department of Fisheries in particular will move quickly to also reduce the effort in the recreational fishing sector. It is only fair. We really need to take a much more precautionary approach to understanding and putting pressure on fish stocks in the Western Australian coastal waters.

HON BRIAN ELLIS (Agricultural) [4.24 pm]: I thank Hon Bruce Donaldson for moving this very important motion. I am encouraged by the Leader of the House's comments about a more substantial debate in the future because it is an important issue. An article in *The West Australian* last week sums up the reasons for this urgency motion. It states -

Con Pansini lost more than his right to fish out of Fremantle when the metropolitan commercial fishing ban came into effect overnight.

The 62-year-old, who also runs a fishmonger business, lost his livelihood, lifestyle and retirement plan.

...

The small-time operator could not afford to move to another fishing zone and the State Government compensation would be too late to save the business he had run for 25 years.

His plan to close his shop next year and fish just once or twice a week to supplement his retirement had also gone up in smoke.

“I woke up one morning and had no more licence, and our livelihoods and future had gone because I already just caught enough to make it worth while,” Mr Pansini said.

“The customers are the ones who are really going to suffer because if we have to buy our fish from other places we will have to put the prices up.”

Mr Pansini is correct. I am sure that everyone in this house would rather eat Western Australian fish, the best fish in the world. Are we to eat fish that has perhaps been supplied through some black market from recreational fishermen who have sold their fish to restaurants because commercial fishermen are not allowed to fish in the area? This article shows the devastating effect that the Minister for Fisheries’ decision has had on commercial fishermen. One must ask what consultative process took place with all the stakeholders, including consumers, because, as was quoted in the article, the executive officer of the Western Australian Fishing Industry Council said that there was not enough consultation with the industry and that the new laws targeted commercial fishermen unfairly.

The article also indicates that the minister overrode his own department’s recommendation of a 50 per cent reduction for both the recreational and commercial sectors. As was pointed out by the Leader of the House, the minister put out a message that states -

Recognising the seriousness of the problem and the particular significance of increasing fishing pressure in the metropolitan region, I have now made the unprecedented decision to remove all commercial fishing for demersal scalefish in the waters off the greater metropolitan coastline. Specifically, there will be no commercial fishing for demersal scalefish from Lancelin to a point south of Mandurah . . . due to be effective from November this year.

At the end of the message, the minister also says -

I look forward to engaging with recreational fishers and the wider community as we work together to ensure that fishing is both sustainable and enjoyable.

Nowhere in his message is there any mention of engaging with or consulting the commercial sector. Could this be about votes, minister? If the situation is as bad as the minister has indicated and our fish stocks are at a critical level, why not ban fishing for everyone in these zones, including both recreational and commercial fishermen? As has been pointed out by Hon Bruce Donaldson, the catch by both the recreational and commercial sectors is about the same, so why would they not be treated in the same way? The minister has panicked and has made this - to use his words - unprecedented decision because the government has been caught napping. Due to a lack of funding, his department has conducted only one survey since 1996-97. At pages 33 and 37 of his “Fisheries Management Paper No. 225”, it states -

These surveys require considerable resources to undertake and only two surveys have been conducted on boat-based activity on the West Coast in 1996/97 and 2005/06. A gap of almost 10 years between surveys does not permit changes in recreational fishing to be monitored or assess the impact of recreational fishing on targeted fish stocks.

While creel surveys can provide comprehensive information on recreational catch and effort, they have only been able to be undertaken twice on the West Coast to date (1996/97 and 2005/06) due to resourcing constraints. To effectively monitor catches, this information needs to be collected much more frequently, ideally on an annual basis.

I agree with the Leader of the House that our fish stocks must be managed for the future. This debate is about the best management of our fish stocks, taking into account both the recreational and commercial fishers’ concerns.

I have asked the Minister for Fisheries a number of questions on this issue in this house because of my concerns for the fishing industry. However, the minister could not even attend the meetings that were held in Geraldton to listen to and answer fishermen’s grievances. One of the reasons that 140 recreational and commercial fishermen attended the meetings was that they were led to believe that the minister would be in attendance, but he could not find the time to attend. Many other questions need to be addressed, such as whether the compensation is fair and just. Is \$5 million enough? If the government is able to suddenly find \$5.3 million for research funding over the next four years to monitor catches by recreational and commercial fishers, why was it not done earlier? Will it be possible to resurrect commercial fishing after a long period of suspension?

I suggest that the minister sit down with the Western Australian Fishing Industry Council in an endeavour to answer its concerns.

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HON NIGEL HALLETT (South West) [4.32 pm]: I compliment Hon Bruce Donaldson for moving this urgency motion. We are considering the impact of the Minister for Fisheries' decision to close 14 000 square kilometres of the commercial fishing zone without warning. His decision has given the fishermen who are sitting in the President's gallery six weeks' notice to stop fishing. We have heard the following quote by commercial fisherman Mr Con Pansini, which was published in *The West Australian* -

"I woke up one morning and had no more licence, and our livelihoods and future had gone -

It is a devastating way to start a week.

In the minister's media release dated 15 November, he admitted to acting on research. I acknowledge Hon Giz Watson's comment that the research was lacking over a period. The minister said in his media statement -

"In making the decision, I considered the following points: The metropolitan zone attracts about two-thirds of all recreational fishing effort between Kalbarri and near Augusta;

However, the commercial catch is only three per cent. He concluded that a shared reduction by the commercial and recreational sectors was likely to have very little commercial fishing viability. Members are aware of the value of the long tradition of the fishing industry to Fremantle's economy.

The minister's decision was made without adequate consultation. The number of meetings that have been held across the state - Hillarys, Bunbury, Mandurah, Geraldton and Fremantle - has already been noted. Unfortunately the minister, to the best of my knowledge, was absent from all those meetings. Let us consider the voting power of fishermen. Recreational fishermen have some 85 000 votes. Many of them display on their cars a sticker that states "I fish, I vote". I am sure that the commercial fishermen in the President's gallery must feel that their votes do not count, because they certainly do not represent the same number of fishermen as do the recreational fishers. I suggest that the minister's decision to close the commercial fisheries in favour of the recreational sector is an ad hoc decision that was made because he believed it would be far more popular in the electorate.

I note the time and I know that Hon Bruce Donaldson would like to conclude this debate. I would like to say a lot more, but I will conclude my remarks now to let Hon Bruce Donaldson respond to the debate.

HON BRUCE DONALDSON (Agricultural) [4.35 pm]: It is good timing - I have five minutes to make my remarks. I advise the Leader of the House that I hope I am right and that the Minister for Fisheries' package for the act of grace payments was \$5 million in the metropolitan area and \$7.6 million, in total, for the west coast bioregion.

Hon Kim Chance: You are right. Thank you for correcting me.

Hon BRUCE DONALDSON: I hate to have to remind the Leader of the House of Labor's response to a special Western Australian Fishing Industry Council's 2001 election bulletin headed, "Politicians are fishing for your vote! Think before you bite!" It refers to Richard Court, Geoff Gallop and a few others. I guess the Leader of the House is probably responsible for the response to the question about the allocation of licences when management arrangements change. The response states -

As indicated in the answer to the question above, Labor is committed to the spirit and letter of the FRMA. This is only a good Act when it is used appropriately. The Act provides perfectly fair and adequate provisions for the establishment of new and amended management plans under the heads of Part 6, Division 3. It is these provisions that a Labor government will use. These provisions require specified industry input and consultation and, with some reservations about S.65(3), we fully support them as competent and sound legislation.

Similarly, the S.43 provisions ("Order may prohibit fishing") have a legitimate place in fisheries management. Where Labor differs from the Court Government is that we do not believe that "Prohibition Orders" are an appropriate tool for establishing new management plans. The proof of this of course is that the establishment of new or amended management plans is specifically provided for in Part 6 (in sections 64 and 65). The use of S.43 orders for this purpose is therefore inappropriate and improper.

I was very pleased to read that. I am sure the Leader of the House must well remember having put that together and supplying it to the WA Fishing Industry Council.

Hon Kim Chance: I do, but this is not a management plan.

Hon BRUCE DONALDSON: I realise that, but it has overridden that. I acknowledge that when I told the Minister for Fisheries, Jon Ford, that I was going to move this motion, he warned me that he would not be in the house. He said it was a debate on which I could talk for a couple of hours, as could he, and that the Leader of the House, who has been known to speak for five hours in a debate, would want to partake in the debate.

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I suggest to the Minister for Fisheries that as a matter of urgency he sit down with representatives from both the commercial and recreational fishing sectors - not a cast of a million, but just a few people - to talk about some of the issues. For example, should there be a complete closure of the fishing industry for a couple of months to allow the spawning of dhufish to take place? When we look at the Department of Fisheries' research papers, we note a concern because the "Assessment Outcomes" states -

Dhufish - Levels of fishing mortality are above the threshold & limit (international) reference points in Midwest, Metro and South zones

Snapper - Levels of fishing mortality are above the limit (international) reference points for all zones of the west coast bioregion

Baldchin groper - Level of fishing mortality at the Abrolhos Islands is still above the threshold (international) reference point indicating that localised overfishing is continuing.

This situation is the cumulative effect of increased levels of exploitation across all sectors over many years

Everybody realised that overfishing had been happening, but all fishermen in Western Australia, whether commercial or recreational, thought they were immune from what was happening around the world and that it would not happen to them. The population in Western Australia has grown, and the pressure is on. The new measures have created a number of issues concerning the closure of fishing grounds, such as the scrapping of bag limits, the introduction of licensing of recreational fishing by the use of tags, and the giving of a certain amount of tags to rock lobster fishermen to at least fish for their family. Many aspects of the new measures need to be developed and looked at.

Motion lapsed, pursuant to standing orders.