

Wetline Review Panels  
Locked Bag 39  
Cloisters Square Post Office  
PERTH WA 6850

**Recfishwest Submission to Fisheries Management Paper No 190  
“Proposed Management Arrangements for the West Coast  
Commercial ‘Wetline’ Fishery”**

Thank you for the opportunity to provide comment on the above review. We wish to commend the Department of Fisheries and the Minister for Fisheries for proceeding with the review of this fishery and the important but extremely belated intention to introduce commercial fisheries management for the wetlining activity.

Recfishwest will be making a separate submission to papers 189 and 191.

Recfishwest regards this review as an essential component of integrated management, especially for scale fish which are extremely important to the recreational fishing community but which has not been explicitly recognised through management reforms.

The fishes targeted by the wetline fishery are regarded as key species for recreational fishers as recognised by their inclusion in Category One – Highest Risk within the regional recreational fishing regulations. That is, they are generally long lived, slow growing, vulnerable to localised depletion and are highly targeted.

The area of this review also includes the area of greatest interest and importance to recreational fishers. Most of the recreational fishing effort in Western Australia takes place between Jurien and Dunsborough, with particular emphasis from Two Rocks to Cockburn Sound. Therefore spatial management issues are likely to be extremely important to recreational fishers in this region.

Recfishwest believes that the controls proposed generally provide a sound basis for the development of integrated management strategies for Western Australia. We would like to commend the review committee for making a genuine attempt to address what are frequently long standing and controversial fisheries issues. We believe that largely it has proposed quality and workable solutions.

We will focus our comments largely on the specific recommendations of the paper.

## **Recommendations**

1. Recfishwest supports recommendation 1a. Recfishwest has a number of concerns about the establishment of an inshore beach net fishery north of Moore River, especially the use of gill nets in areas of high interaction. We will raise our specific concerns in relation to the more specific recommendations later in the paper, but we would like our overall concern noted.
2. Recfishwest fully supports recommendation 2a and believes that the recreational sector has an important role to play in ongoing management of the common property resource.

Recfishwest supports recommendation 2b but we have real and significant concerns about the recognition of, and take of, wetfish by boats which do not gain formal access to the fishery. We require considerable convincing that the effort required to manage these 'recreational' commercial participants will be available and strongly believe that these costs MUST be borne by the commercial fishing sector. The recommendations which allow for this activity (and Recommendation 15 which is strongly opposed) is to provide a soft landing for those who will not meet the entry criteria. While we understand this sentiment, the community should not have to subsidise the activity or lifestyle requirements of these people.

Recfishwest supports recommendation 2c, but notes that at least some of these fish will be used for the export markets, where the price is highest and therefore the availability of fresh local fish is not the purpose of this fishery. Recfishwest fully supports value adding, although this has never resulted in a reduction of commercial take anywhere in the world.

Recommendation 2d is fully supported but the consequences of the proposed management, especially of the 'recreational' component does not appear to have been given explicit consideration. Allowing the take of small levels of catch up to the recreational possession limits is likely to be extremely expensive and would be more likely to engender support if there were a wetfish management levy placed on all managed fisheries licences to meet the increased costs. Recfishwest therefore proposes a wetfish management levy be placed on all entitlements operating in the west coast zones.

3. Recfishwest supports this recommendation with several caveats. Firstly we strongly oppose recommendation 15 and a reasonable minimum holding must be regulated for after 5 years. A reasonable economic threshold should form the basis of future access. A period of 5 years allows a reasonable market to mature and will greatly reduce the ongoing costs of management, the incessant transfer of small numbers of units and the nuisance of people holding small entitlements so that they can disrupt future management reforms.

Secondly, Recfishwest believes that the process for reforms or modification must be transparent and open to appeal by groups like Recfishwest as an affected person. The IFM framework should address the majority of our concerns but it is important to make the point that the resource is a shared one and recreational fishers are critical stakeholders in wetfish management.

4. Recfishwest supports the boundaries of the fishery.
5. Recfishwest supports this recommendation, although we would have been more comfortable with there being no outer limit and allowing only those fishers with full access to work outside the 250m isobath. This would be more consistent with the precautionary approach and if, although unlikely, significant sustainable resources were found outside the 250m isobath, the developing fishery policy could be used for any controlled future expansion.

Instead, this recommendation will be seen as some as an invitation to over-capitalise and explore for what are likely to be either very limited or very vulnerable resources. Recfishwest strongly recommends that an investment warning be issued immediately to prevent the overcapitalisation for what is likely to be an unsustainable operation in deeper water.

6. As per our comments on Recommendation 5, we accept this recommendation with some reservations about sending a message to industry that a 'last frontier' could exist outside the 250m isobath.
7. Recfishwest is opposed to any simplification of the Developing New Fisheries Policy. Our Executive Director Frank Prokop has sat on this committee which has been fair and transparent in its deliberations. The requirements of the Developing New Fisheries Policy are not unreasonable and the need for business planning and potential exit strategies is even more important when fishing remote areas such as

outside the 250m isobath. Indeed, the single greatest criticism by Recfishwest towards the existing process is the unfortunately typical response of an under-resourced Department of Fisheries which has failed to assess the proponents' ability to deliver on their commitments when making an application.

Recfishwest strongly opposes any moves to simplify what is already a very fair process. We would insist on full funding (through cost recovery or some other mechanism) to ensure that an adequate assessment of the ongoing performance of any new entrants is able to be assessed.

8. Recfishwest supports the 4 management zones.
9. Recfishwest is extremely concerned about the loose language which sits around Recommendation 9. We cannot support this Recommendation in its present form as it would appear to be open to abuse.

While we fully understand the need for some flexibility in management, the need to consider other users or the consequences of any management decision that pertains to commercial fishing has not been a feature of wetline fishing management at any time in the past.

We are dealing with a common property resource, and specifically one which will be independently assessed through the integrated fisheries management policy. Any changes which are made, must have a strong basis and must be subject to an objective review. If the reasons for the changes are sound, then they will be supported.

10. Recfishwest strongly supports getting a better understanding of the take of wetfish in the Abrolhos Island zone.
11. This Recommendation is at the heart of the matter considered by the committee as it makes definitive recommendations for catch levels for the four zones.

We commend the committee for the thought which went into these recommendations. Recfishwest supports option 1 on page 28. However, we have a number of specific comments.

Recfishwest has some concerns about the escalation in commercial fishing catches which has effectively seen a doubling of catches since 1991. During this period recreational fisheries management has increased with numerous reviews, while commercial fishing has remained unmanaged. At least some of this catch may have been

directly foregone by the recreational sector as a result of this management inequity.

Recfishwest would much prefer that the two-tiered allocation method used by the CAP were to be applied here. That is, that greater weighting is given to the catches before the criteria period of 3 November 1997.

If the 5 years prior to 1997 are used, the average catch is 517 tonnes. This contrasts sharply with the committee recommendation of 757 tonnes. The difference of 46% is likely to impact greatly on the recreational sector that not only accepted, but advocated greater wetfish management controls.

In recognition of the changes that have occurred since 1997, we suggest a 2/3 to 1/3 weighting be used. This gives a total catch of 597 tonnes which could be rounded up to 600 tonnes. This methodology is much more defensible in light of the recent management inequities and the principles for consideration of catches which has been advocated by the CAP.

600 tonnes represents a significant increase (17%) on the historical catch of 517 tonnes. It also recognises the relationship between historical and recent catches. Even equal weighting produces a catch figure of 637 tonnes (23% increase) which would be acceptable.

Two other important points are to stress that the relationship between the TAE system proposed and the catches must be maintained and regularly assessed. Any efficiency gains or spatial movements into inshore waters must be compensated for with an effort adjustment.

Secondly, any and all catch taken by any FBL, whether as part of the managed fishery or as part of an agreed catch component **MUST** (absolutely **MUST**) come off the commercial catch allocation. For example, if 50 tonnes of fish are taken by boats without managed fishery access in the South-west zone, then only 48 tonnes (using your proposal as an example) would remain for the managed fishery entrants. Our concern in this matter should be considered to be absolutely not negotiable.

The relationship of the finfish take by the demersal gillnet and longline fishery has not been adequately addressed. Recfishwest supports the needs of the dedicated wetline fleet and is concerned about an increasing shift in effort towards finfish by 'shark' boats. This shift must be managed and the

catches must be included with the 600 or 637 tonne allocation we have proposed.

Recfishwest considers it essential that transparent mechanisms be developed to address intra-sectoral resource sharing issues between the 'shark' and wetline managed fisheries in the future.

12. Recfishwest supports Recommendation 12 and supports a regular, programmed and objective assessment of fishing efficiency to ensure that the catch targets are not exceeded.
13. Recfishwest supports the calculation put forward by the committee.
14. The mechanism and basis for an annual adjustment must be subject to a transparent process. The text of the document suggests a biennial review which we believe is more suitable, while the recommendation is for an annual review. However any indication of a rapid 'ramp-up' of effort (including by the shark fishery would need to be addressed quickly through agreed management responses developed through the IFM process.

While we expect this process to be prescribed as part of the IFM process, we would not like to see a commercially friendly review process pre-empt the IFM recommendations. We believe that there must be recreational representation on the review committee, along with research, management and commercial fishing interests to ensure that equitable and transparent outcomes result.

15. Recfishwest opposes this Recommendation. Allowing persons with as little as a single day's allocation to be 'participants' is naïve and will have significant adverse management consequences.

Participants with unsustainable allocations will have a significant incentive to circumvent the rules. Their single days fishing will last until they have been checked by the Department of Fisheries. These boats are likely to have break-downs of VMS which must be equitable enforced rather a soft line being taken for these 'charity' cases. This is inappropriate in a common property resource.

Recfishwest strongly recommends that a minimum holding be set to be able to fish in this fishery. This level should be in the vicinity of half the fishing time of the largest single allocation. After five years this figure should be increased to ensure that a small, profitable and responsible commercial

fishery remains. Any other outcome would be a travesty for the community and the committed commercial operators.

Put simply, the community is tired of having to meet the management costs to support the lifestyle fishing of a small number of commercial operators and we are disappointed that the committee did not address this real problem.

In addition we are concerned that many operators will retain a very small entitlement (which they may well have no intention of fishing) just so that they can attend management meetings and exert an influence totally disproportionate to their ability to fish.

We strongly believe that this Recommendation is in direct opposition to the proposal in Management Paper 134 that “***A dedicated small-scale commercial fishery for scalefish should be established, with a clear entry criteria, and an appropriate limit on the number of operators in each bioregion.***” (emphasis added).

16. Recfishwest supports the proposal for VMS to be fitted. We would like to see the failure of VMS to be working to be a major provision of the management plan. We recognise that this will address some of our concerns about boats with limited entitlements, but our overall concerns remain.

It is not clear whether this proposal would also apply to commercial boats taking small quantities of fish. Recfishwest would support the activation of a VMS as a precondition for taking any wetfish from any commercial boat.

17. Recfishwest supports the thrust of Recommendation 17. We fully support the need for VMS monitoring in this area which could also be important if pioneering rights become an issue with future development.

The proposal regarding a prohibition on landing demersal species targeted in the West Coast demersal scalefish fishery is more complicated. These species are not detailed which makes it difficult to comment. The interactions between the inshore fishery and any new offshore fishery should be part of the considerations of the developing new fishery assessment. These determinations should be based upon biological and other considerations.

This appears to pre-empt that process and suggests that it may be better to remove the 250m isobath line and manage the stocks and fishery in an holistic manner with existing

participants.

18. 19. Recfishwest strongly supports these recommendations.
20. Recfishwest believes that 30 hooks are at least 10 too many. We consistently put to the review committee that a maximum of 20 hooks is sufficient.
21. Recfishwest supports Recommendation 21a relating to the definition of handlines.

Recfishwest believes that the float size should be at least 300mm or at least two 200mm buoys should be used. A smaller float is significantly less visible and may result in boats entangling ropes which may be on the surface if deeper sets and large weights are used.

22. Recfishwest supports only allowing whole fish to be landed. We are extremely concerned about issuing processing at sea licences as this gives an easy avenue to disguise marginally undersized dhufish and snapper. Recfishwest has worked extremely hard to educate recreational fishers about the importance of good fish handling practices to increase the survival of released fish. We see no evidence of improved practices in the commercial fishing sector which fishes the same area and must take similar quantities of undersized fish. This may be because many of these fish are being processed at sea and once filleted, detection is almost impossible.

Recfishwest strongly believes that processing at sea entitlements must be subject to a transparent assessment process that allows input from groups like Recfishwest. The significantly increased compliance costs and capacity to avoid size limits must be addressed from an administrative and cost recovery perspective.

23. Recfishwest strongly supports the prohibition of metal traces in this fishery to reduce the take of shark.

However, the need to address the capacity of the 'shark' fishermen to impact upon the commercial and recreational wetfish fisheries also needs a formal and equitable assessment process.

24. Recfishwest does not believe that there is any justification for the establishment of this fishery. A total catch in the order of 15 tonnes total in the period leading up to the benchmark date must be balanced against the interactional conflict and local depletion concerns at popular locations.

Three of the target species, Australian herring, whiting and garfish are extremely important to recreational fishers and will certainly become increasingly so over time. Mullet (and Australian herring) have almost no commercial value. This must be balanced against the significant and increasing conflict and local access issues.

Indeed, Recfishwest supported the FAS scheme for the metropolitan beach bait fishery due to changing local government regulations limiting access and increased conflict that made the operations more difficult.

To then look to institutionalise a similar fishery where these issues already exist or can be easily predicted, seems illogical.

Recfishwest would prefer to see the few participants (about 5-6) with a catch history of greater than 1 tonne offered an ex-gratia payment such has been proposed for Geographe Bay crabs.

To propose more generous access criteria for this fishery is inconsistent with the goals for the fishery as proposed in Paper 134 (discussed earlier).

The use of gill nets is particularly inappropriate as fish such as tailor, flathead, dart and trevally are also taken which are important recreational fish. Boats and divers tangling with gill nets set near inshore reefs has been a problem in the past.

We would be prepared to negotiate the use of haul and beach seine nets, although the access issue is a major problem.

25. Recfishwest is opposed to the use of gill nets in this proposed inshore fishery. The development of appropriate gear for a community resource is a community issue and must be assessed objectively, transparently and consistent with all the objects of the *Fish Resources Management Act 1994*.
26. Recfishwest is strongly opposed to this recommendation which is totally at odds with the vision put forward in paper 134. This will ensure that the interaction conflict will escalate and ignores the community as legitimate stakeholders in the community resource. The metropolitan beach bait fishery provides a clear direction for the future of inshore commercial fisheries for low value species yet this has been ignored by this recommendation.

Recfishwest has repeatedly proclaimed that the lifestyle requirements of a small number of commercial fishers has been over-valued relative to the overall lifestyle requirements

of the wider community. At the very least, the significant management and compliance costs relative to the value of the fishery must be recovered from the beneficiaries of this generous proposal.

It is our view that the worst case scenario is for 5-6 participants using beach seine and haul netting only be permitted north of Moore River. Even in this case, we can see a resolution in the short term that access and direct conflict will result in the need for a FAS process, the cost of which will be significantly increased with this recommendation.

27. Recommendation 27 lacks definition. Noting our concerns above which detail our concerns about the establishment of this fishery at all, the text must be modified to read “.... specific effort constraints must be implemented should catch levels ever increase above historical levels. These levels must be formalised as ‘trigger points’ for future management.”
28. **Recfishwest has major problems with this proposal.** While we understand the political need to provide a soft landing for those who will not gain formal access to this fishery, it should not come at the expense of the recreational sector.

Recfishwest supports the option of no take of scalefish by commercial operators with a managed fishery licence. This principle applies to other commercial fishers with respect to the take of rock lobsters and should logically apply both ways.

Otherwise allowing the possession of two scalefish per boat which is accepted with tuna by-catch has a precedent and allows a couple of fish to be retained. For boats that go to sea every day with one crew, this still allows a fish a day per person to be retained.

This proposal put forward by the committee does not create a level playing field. A 50 foot state of the art commercial rock lobster fishing boat out on the water every day, is being given the same access as someone with a 16 foot runabout. In addition, the commercial boat receives a diesel rebate and primary producer’s tax benefits which are denied to the recreational participant.

Recfishwest would appreciate formal advice as to how anyone other than a holder of a CFL can be on a commercial boat while it is engaged in commercial fishing operations and how many prosecutions have there been for this offence. We

are particularly concerned that commercial boats will take many 'extra' crew to take their recreational bag limits, which is illegal as per the CFL requirement and is in direct competition with the regulated charter boat industry.

**Recfishwest absolutely insists that any and all fish taken by a commercial fishing boat be debited to the commercial allocation.** In addition, any and all costs associated with the compliance of this aspect of must be met by the beneficiaries of this management.

Recfishwest also believes that the recreational limits are too generous for commercial boats. Our suggestion of a boat limit of two fish is already an accepted precedence for tuna and tuna-like species is (as is the alternative of no retention at all as already exists with rock lobsters).

29. Therefore Recfishwest would be prepared to support a boat limit of two fish per boat. However, it must be noted that our clear preference is for no take of finfish by boats without a formal authorisation. We absolutely insist that any and all of these fish must be included in the wetfish allocation to the commercial fishing sector. The same bag limits are not appropriate and is seen by most recreational fishers as akin to proposing the same local government rates for a Mosman Bay mansion and a humpy in the hills.
30. The possession limits are too generous especially for a boat with three or more persons on board. Irrespective, Recfishwest unequivocally insists that any fish taken on a commercial vessel **MUST** be debited against the overall commercial allocation.

Allowing a generous take by non-authorized boats will greatly impact on the establishment of a small profitable commercial wetfish fishery.

31. Therefore Recfishwest strongly supports Recommendation 31. However, we believe that the first '*should*' in the text be changed to '*must*'.
32. In addition, the text should be changed to "*This figure must be separately identified from, **but within**, the target commercial catch ....*"
33. Recfishwest strongly supports this recommendation.
34. Recfishwest has had longstanding concerns about the utility of the CAESS system for the longer term management requirements for wetfish.

Recfishwest strongly supports a 3nm X 3nm block adjacent to the coast established as there are significant issues associated with nearshore fishing effort by both commercial and recreational fishers.

35. Recfishwest strongly supports the validation of catch returns from commercial fishers, with compliance responses where necessary. **The non-commercial catch, if any, must also be monitored but the costs for this need to be met by participants.**

Recfishwest has been working very closely with the Department of Fisheries to ensure that robust and timely recreational catch data is also obtained. This should provide a solid basis for future management of wetfish under the IFM process.

36. Recfishwest supports all fish being landed whole as part of the non-commercial take. We support the removal of pectoral fins of these fish.

We note the recommendation for further consultation with the recreational sector which has not occurred. Indeed, Recfishwest is sensitive on this point as commercial fishers have generally opposed recommendations for fisheries reform, including those with a strong conservation or biological basis derived through the regional recreational reviews.

Recfishwest would like to investigate the requirement that all commercial boats taking 'non-commercial' take be required to have a line rigged with a depth release device accessible. The results of survival with this device clearly indicate its benefits for the survival of high value species and to date the uptake of this technology by the commercial industry has been disappointing.

The mortality associated with all by-catch associated with the take of finfish must be included in the overall commercial allocation. We expect this to be an outcome of the IFM process and should also apply to the recreational sector.

37. Recfishwest supports this recommendation and has supported this principle for at least 7 years. Recfishwest would like to see the addition of marron and south-west freshwater fishing which has no direct commercial-recreational interaction. The possibility of allowing a netting licence for throw nets only could also be considered. The final '*should*' in the text needs to be changed to '*must*'.

However, the legislation must be worded in such a way that any future general recreational fishing licence can be included or managed with respect to commercial take. We would not like to see any boat with any capacity to take wetfish able to take the full recreational entitlements through a recreational licence.

## **Conclusion**

Recfishwest commends the committee for the time and effort which it has put into this difficult task. Recfishwest supports the majority of the recommendations and recognises that there will be many divergent views on many of the proposals.

The CAP noted that this is largely in relation to a personal perspective. Recfishwest has presented its views on a sectoral basis, representing the interests of the significant recreational fishing sector.

There are very few of our positions on the recommendations that are not subject to further negotiation. We would however, be disappointed if our views were dismissed without further reference.

Recfishwest would like to offer to meet with the committee on the matters raised in our submission.

Recfishwest has repeatedly sought clarification as to the process to assess and modify the recommendations from this committee and requires urgent and clear direction as to who will assess our submission, who will make recommendations for changes and how will further consultation be undertaken.

Thank you for your consideration of our submission. Further information can be obtained from our office on 9387 7864.

Yours sincerely

Frank B Prokop  
Executive Director  
Recfishwest  
26 April 2005

Cc Jon Ford Minister for Fisheries  
Peter Rogers, Executive Director, Department of Fisheries  
Doug Bathgate, Chairman RFAC

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**Chairman** – Des Wood  
**Executive Director** – Frank Prokop

Email: [recfish@recfishwest.org.au](mailto:recfish@recfishwest.org.au)  
Website: <http://www.recfishwest.org.au>