

Plan Coordinator  
Draft Management Plan for the Shoalwater Islands Marine Park  
Marine Policy and Planning Branch  
Department of Environment and Conservation  
47 Henry St  
FREMANTLE WA 6160

Dear Sir/Madam

**R.e. Shoalwater Islands Marine Park Draft Management Plan 2006**

Thank you for the opportunity to comment on the Shoalwater Islands Marine Park Draft Management Plan 2006 (Management Plan).

Recfishwest is the peak stakeholder body representing the interests of the estimated 645,000 recreational fishers in Western Australia. We are formally recognised and funded by the Government in that role. The habitat in which fishing is carried out and access to those areas are of particular importance to Recfishwest and we place the highest priority on preserving the future of recreational fishing and the resource it depends on.

We will provide specific comment on how we believe this proposal can be improved for the betterment of marine conservation and recreational visitors to the park.

Recfishwest's comment on the Management Plan will firstly outline some of our general concerns and then discuss site specific comments on each individual zone;

***Broad Ranging Statements to Support Management Changes***

Recfishwest is concerned with the large number of broad ranging statements linked to management changes in the Management Plan without any support of scientific evidence. Many appear as direct attacks on recreational fishing, portraying this activity as being at the detriment of fish stocks in the Shoalwater Islands. The entire Management Plan makes reference to only three peer reviewed scientific papers. A majority of references are Government agencies papers and personal communications. We believe this is not adequate for a document with the purpose of independently reviewing all activities in the area.

The Management Plan does not provide any evidence of "overfishing" in terms of recruitment overfishing, that is, there is no evidence to suggest that current levels of fishing are causing adult stocks to be reduced to the extent that recruits produced are insufficient to maintain current populations. The Management Plan makes reference to recreational fishing as influencing changes in fish populations and abundance, despite providing no evidence to support these claims.

An example of these concerns includes **section 9.2.6** Recreational fishing, “*A number of factors, including past fishing practices, have contributed to changes in fish populations and abundance*”. Such a statement should not be included unless supported with referenced scientific research in the region, without this the statement is purely an opinion.

Another example includes this exert from **section 9.2.6**, “*Spearfishing has the potential to cause such disturbance to fish communities so that populations can quickly become wary of humans. This in turn reduces the recreational and educational experiences of divers and snorkellers*”.

Recfishwest seriously questions the ability of fish to differentiate between a diver carrying a spear gun, which is proposed to be banned and a cray loop which would be legal. Making anthropomorphic associations with marine fauna is nonsensical and by no means supported with scientific evidence.

These statements are particularly inflammatory towards recreational fishing and are by no means supported by scientific evidence. The Management Plan should provide an objective assessment of the risks. Unfortunately we believe this is lacking in this Management Plan.

Recfishwest is disappointed that **Section 9.2.6** fails to mention that a significant fish breeding and spawning activity is already protected in the park through the ban on the take of pink snapper during their spawning period, as determined by extensive fisheries research and with support from recreational anglers. This is a pertinent example of where a risk to a fish population has been recognised and proper remedial action taken. The recreational sector largely initiated and lobbied for this increased protection, however, unfortunately this stewardship has not been recognised in the Management Plan.

### ***Spearfishing***

Recfishwest believes the management plan unfairly discriminates between recreational line fishing and spearfishing. Recfishwest shares the view of the Department of Fisheries that spearfishing should be treated equally as a legitimate form of recreational fishing unless there are substantiated sustainability concerns about spearfishing for a particular species and/or in particular places. Those concerns would be best handled by specific, focussed fisheries management controls which limit the number of fish of those species which can be taken using those methods in specific places or specific situations.

Currently there is no scientific evidence to suggest that recreational spearfishing is having a greater impact on the marine environment than recreational line fishing. These two forms of fishing should be treated equally in zoning decisions unless a greater threat by one or the other can be identified.

### ***Limitations of the zoning scheme***

**Section 7.1.3** quite candidly outlines the limitations of the Marine Park’s zoning scheme. Given the number of limitations the Department of Environment and

Conservation (DEC) lists with the proposed Marine Park the merit in actually proceeding with the implementation of this management plan can be seriously questioned. Although the DEC is optimistic that the zoning scheme will achieve the numerous conservation objectives outlined, Recfishwest is sceptical that the associated zoning will deliver any measurable benefits to marine conservation.

While the sanctuary zones may become effective marine observation areas for ecotourism operators the real benefits to fish populations in the wider area will be negligible.

### ***Point Peron Additional Sanctuary Zone***

The proposal for a sanctuary zone at Point Peron was not part of the original discussion process and only the “*have your say*” document makes any mention of this proposal. The Draft Management Plan does not mention this proposal, making it impossible to provide comment when no information is disclosed about where the sanctuary zone will exactly be located and its proposed size. Recfishwest rejects the proposal for an additional sanctuary zone at Point Peron on the principle that there is insufficient information to justify the increased protection.

Without an objective assessment during the development phase the task of commenting on the concept of a sanctuary zone at Point Peron is extremely difficult. The fact that it is not accompanied with any risk assessment, reasoning or indication of its size makes Recfishwest question the integrity of such a proposal. This is unacceptable and reflects poorly on the DEC’s consultation process.

### **Site Specific Comments**

#### ***Shoalwater Bay Special Purpose Zone (Wildlife Conservation)***

The Wildlife Conservation Zone contains a number of inconsistencies regarding which commercial and recreational fishing activities are permitted. Recfishwest seeks clarification on why commercial line fishing, but not recreational spearfishing will be allowed in this zone. To suggest that the risk associated with recreational spearfishing is greater than commercial fishing is highly doubtful. Recfishwest supports spearfishing as a legitimate form of recreational fishing in all situations where other means of recreational fishing is permitted.

Recfishwest is also seeking clarification on why commercial aquarium and specimen shell collection will continue to be permitted in a zone that is proposed for the purpose of *Wildlife Conservation*. The risk associated with both these activities was deemed too high for recreational users and subsequently prohibited, but is proposed to be permitted for commercial operators. It doesn’t appear as though this is effective management for the purpose of *Wildlife Conservation*.

#### ***Seal Island Sanctuary Zone***

The sand bank running from Seal Island eastwards is a popular fishing location for families and the elderly in small boats for bread and butter species such as whiting and herring. The proposed sanctuary zone may force many of these fishers into areas

exposed to south-westerly winds and swell outside the protection of Seal Island. Recfishwest suggests an amendment to the eastern boundary being moved 500 m to the west to accommodate this important group of recreational fishers.

The Management Plan lists an objective of the proposed sanctuary zone as providing a buffer between Seal Island, which is an important Australian sea lion haul-out area, and commercial and recreational fishing area. Recfishwest is not aware of any evidence that recreational fishing in the area has directly impacted on the sea-lion colony or indirectly by competing for food supply. Recfishwest requests scientific evidence to support such a claim if to be used as justification for the exclusion of recreational fishers.

The Management Plan mentions the protection of important seagrass meadows, intertidal reef and subtidal macroalgae dominated reef communities as a need for the sanctuary zone. For this to be a realistic goal an anchoring management plan should also be implemented.

### ***Second Rock Sanctuary Zone***

Recfishwest has no strong objection to this proposed sanctuary zone. However, like the Seal Island Sanctuary Zone the Second Rock Sanctuary Zone should realistically have in place an anchoring management plan to effectively manage for the associated risks.

### ***Beacher Point Sanctuary Zone***

Recfishwest has no strong objection to this proposed sanctuary zone. However, like the other Sanctuary Zones the Beacher Point Sanctuary Zone should realistically have in place an anchoring management plan to effectively manage the associated risks.

### ***Murray Reef Special Purpose Zone (Scientific Reference)***

Recfishwest seriously questions the worth of the scientific reference zone given that it also allows commercial rock lobster fishing. Scientific reference zones should be exclusively no go zones for any activity other than research for true unbiased results.

Recfishwest views this decision to allow rock lobster fishing in a scientific reference zone as fundamentally bias toward the professional western rock lobster fishing interests at the expense of both recreational fishing and broader environmental stakeholders. Given that commercial rock lobster fishers are able to target rock lobsters both entering and leaving the sanctuary zone it seems too conciliatory to allow them to pot in an area which is zoned for research.

It appears the proposed zoning was designed to ensure that the planning process proceeded without significant industry opposition and prevent the likelihood of compensation having to be paid to the Western Rock Lobster Industry. In doing so the outcomes are clearly undesirable to all other groups, especially recreational fishing, which has lost access to popular recreationally fished areas and gained nothing from its ongoing participation in the planning process.

These same concessions to the rock lobster fishing industry were widespread through the Jurien Bay Marine Park and make Recfishwest seriously question the integrity of the whole Marine Park planning process.

### ***Conclusion***

Recfishwest has been disappointed with the marine conservation strategy currently pursued by MPRA / DEC. Recfishwest has offered alternatives and compromises that we believe will provide tangible benefits to marine conservation with minimal impact on recreational fishers. These have unfortunately not been adopted in previous submission review process, but we are hopeful that our recommendations will be considered in this instance.

Please do not hesitate to contact our office on 9246 3366 should further information or clarification be required on any part of this submission.

Yours sincerely

Frank Prokop  
Executive Director

30 October 2006