

Manager
Submarine Cable Protection
Australian Communications and Media Authority
PO Box 13112, Law Courts
MELBOURNE VIC 8010

Dear Sir/ Madam

Proposal for a Protection Zone over the SEA-ME-WE3 Submarine Cable off City Beach, Perth

Thank you for the opportunity to provide comment on the proposal for a Protection Zone over the SEA-ME-WE3 Submarine Cable off City Beach, Perth.

Recfishwest is the peak body representing the interests of the estimated 788,000 recreational fishers in Western Australia. We are formally recognised by the Government in this role. Recfishwest places the highest priority on safeguarding the future of recreational fishing and the resource it depends on in Western Australia. Access to that habitat in which fishing is carried out is of particular significance to Recfishwest.

Recfishwest is a member of the Australian Communications and Media Authority (ACMA) Western Australian Protection Zone Advisory Committee. We are committed to working towards an outcome that is acceptable to recreational fishing community and the cable owners (represented by REACH) and ACMA. Recfishwest believes adequate protection can be provided to the SEA-ME-WE3 submarine cable in the waters adjacent to the Perth metropolitan area whilst also minimising the impact on the community in terms of restrictions and prohibitions.

At the outset Recfishwest would like to express its disappointment that a thorough risk assessment was not carried out prior to the release of the proposal for public comment. Both the commercial and recreational fishing sectors believe that a thorough risk assessment may well have resulted in a proposal far more acceptable to the community.

We also note that the SEA-ME-WE3 cable has been in place for at least eight years without incident in the waters off Perth. We question the haste to implement the proposed protection zoning.

Department of Fisheries data has confirmed that the proposed protection zone (PZ) encompasses the area of highest concentration of recreational boat fishing usage in Western Australia. Continued access to this area is highly valued by Recfishwest and our constituents. We believe the PZ should aim to have minimal effects on the recreational fishing community given the importance of this activity in the region.

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Department of Planning and Infrastructure data indicates that 55,000 recreational vessels are licensed within the West Coast region of Western Australia and 45,000 in the metropolitan area. Department of Fisheries surveys also indicate that recreational fishers spent approximately 540,000 boating hours in the metropolitan area in 2005/06, with a significant proportion of these hours being spent by boats within the proposed PZ. Coupled with this there are currently 37,000 persons that hold recreational rock lobster fishing licences that permit them to fish in the area.

Recfishwest believes that the discussion paper fails to address important issues of compliance. There needs to be a clear understanding of compliance responsibilities in terms of resources and on-water compliance of the proposed line fishing restrictions, rock lobster potting and anchoring prohibitions in the PZ.

The following comments are specific to sections of the Discussion Paper that have potential to impact on recreational fishing;

4.1.1 (f) Fish aggregating devices

Recfishwest has presented the proposed prohibition regarding the deployment of Fish Aggregation Devices (FAD's) to the Western Australian Game Fishing Association. It appears that FAD's are not generally deployed within the proposed PZ and that there are no FAD's currently located within the proposed PZ. In future should there be a plan to deploy a FAD within the vicinity of the PZ, Recfishwest will work with the AMCA to ensure that any deployment poses no threat to the submarine cable.

4.2.2 Anchoring

Recfishwest believes the ACMA's proposed restrictions on anchoring within the PZ will have a significant impact on the many recreational small boat fishers that frequent the inshore waters of the proposed PZ.

Numerous recreational line fishers and divers anchor their boats within the proposed PZ. Any restrictions on anchoring would considerably impact the many line fishers that choose to anchor as well as the breath-hold or compressed air divers that must anchor their boats in order to safely dive for rock lobster, abalone or spear fish.

Recfishwest believes allowances should be made for boats for anchoring with small anchors. Recfishwest believes that boats smaller than 6 metres pose no real threat to the cable as their anchors are pulled by hand rather than winched from the sea floor. We believe the amount of force exerted by a person manually retrieving an anchor could not be sufficient to damage the cable. The Hale Road Reef and the Three Mile Reef are very popular locations for recreational fishers and divers using boats less than 6 metres.

We believe that boats longer than 6 metres could be permitted to anchor within the PZ or at least closer than the proposed 1 nautical mile, provided they have

GPS chart plotter equipment that would enable them to identify the location of the cable and ensure that anchors are set away from the cable and provided that they also use break away anchors. Break away anchors are designed to pull free from snagged situations by simply driving the vessel over the anchor and retrieving the anchors from the appropriate direction and not applying additional pressure on where originally snagged. There are various options in terms of types of break away anchors and Recfishwest believes that this proposal should be investigated further.

Recfishwest suggests that the current proposal be amended to read; ***lowering, raising or suspending an anchor from a ship may not be carried out beyond 500 metres from the low-water mark, except (i) by vessels under 6 metres in length (ii) vessels carrying operational GPS chart plotter equipment and using an anchor with a trip line (i.e. a breakaway anchor) and anchoring equal to or more than 0.2 nautical miles from a cable of national significance.***

4.2.3 (i) Pots or traps

Recfishwest believes there is no inherent risk posed to the submarine cable by recreational rock lobster potting.

Recreational rock lobster pots are pulled by hand, limiting the pressure that can be applied when retrieving the pot. Rock lobster pots are designed to lift directly from the sea floor with their bridle rope system. Under the auspice of the *Fish Resources Management Act 1994*, recreational rock lobster pots are only permitted to be laid singularly, i.e. one pot per rope/float.

Recreational rock lobster pots are generally made of plastic but may include types constructed of thin wooden slats. The overall weight of pots is kept to a minimum to allow manual retrieval whilst being heavy enough to avoid any movement on the ocean floor.

Any prohibition on rock lobster potting would have significant social impact on the 37,000 persons that hold recreational rock lobster fishing licences that permit them to fish in the area. The PZ covers the most popular area for the setting of recreational rock lobster pots in Western Australia.

Recfishwest believes that recreational rock lobster pots pose no threat to the cable and is unaware of any damage to the cable from this activity. We believe the proposed prohibition should be withdrawn.

4.2.4 Demersal fishing lines

In the near-shore waters of metropolitan Perth the main target finfish species for recreational fishers are sand whiting and squid followed by silver trevally and herring. These fish are targeted by drift fishing with relatively light lines (less than 6kg). Squid are caught in mid water, whiting and silver trevally are caught on or near the bottom using demersal fishing gear. Hooks for sand whiting are small (size 6–8) and sinkers are usually only 2–3 ounce.

Beginning approximately one nautical mile offshore, the proposed PZ traverses a very popular recreational boat fishing area known as the Hale Road Reef and Three Mile Reef.

Demersal fishing is carried out for larger species (pink snapper, dhufish and Samson fish) in this area and heavier lines and hooks are generally used, hook sizes in the 4/0 to 8/0 range and line breaking strains of between 6 and 24kg. While some fishing in this area is carried out by drifting fishing, many recreational fishers anchor in the Hale Road Reef and Three Mile Reef areas to line-fish and spearfish or dive for western rock lobster.

In the deeper water extending west, the most popular form of recreational fishing is the targeting of demersal reef species. This type of activity extends out to around the 100m depth contour with limited fishing beyond this depth. Fishing is typically undertaken by drifting and using demersal lines with hooks ranging in size between 4/0 – 8/0 and line breaking strains between 15 and 40kg.

Wire fishing lines are not used in the area. Wire trace is infrequently used in short lengths (between 10cm and 40cm) at the terminal end of fishing rigs to increase the main line's resistance when targeting fish that are capable of biting through monofilament line. The use of wire trace does not increase the overall breaking strain of the line. Fishing lines have a specified breaking strain regardless of their construction and a line will break at its weakest point.

Recfishwest is lead to believe the force required to break this double steel reinforced cable is considerable and is measured in tonnes at a minimum. Recfishwest believes that the proposal to restrict demersal line fishing is totally unnecessary, in particular due to the double layer reinforced steel protective covering that protects the cable out to a depth of 100 meters.

The methods of fishing within the proposed PZ vary significantly as the cable moves into deeper water. To simplify demersal fishing restrictions and compliance, *Recfishwest suggests that instead of restricting the type of terminal tackle permitted that a more useful method would be to proscribe a maximum fishing line breaking strain of 50kg to be used within the PZ. We believe that this would provide sufficient protection for the cable whilst having minimal impact on recreational line fishers.*

Conclusions

Recfishwest is disappointed that a detailed risk assessment of the potential impact of recreational boat fishing activities was not carried out prior to the release of the document for public comment. However we are committed to working towards an outcome that is acceptable to recreational fishing community, the cable owners (represented by REACH) and the ACMA.

We believe that the compromises Recfishwest have put forward in relation to recreational fishing activities are sufficient and will prevent damage to the

cable whilst continuing to allow the many thousands of recreational anglers to fish in this highly valued area.

Should you require any further information or clarification on issues raised, please do not hesitate to contact me at our office on 9246 3366.

Yours sincerely

Mark Pagano
Principal Policy Officer

15 February 2007

cc Senator Eric Abetz, Federal Minister for Fisheries
 Hon Jon Ford, Western Australian Minister for Fisheries
 Kevin Donohue, Western Australian Department of Fisheries
 Doug Bathgate, Chair, Recreational Fishing Advisory Committee
 Steven Gill, Western Rock Lobster Council
 John Harrison, CEO Recfish Australia