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Focus on the Future: The Western Australia State Sustainability Strategy: Consultation Draft

Thank you for the opportunity to submit comment on the above consultations draft.

Recfishwest ids the peak body for recreational fishing in Western Australia. It represents the interests of more than 600,000 Western Australians who go fishing and is recognised by the Government of Western Australia, Fisheries WA and other government departments and authorities.

Given our charter, we have a significant interest in the principles of sustainability and the practical application of initiatives aimed at achieving sustainability in Western Australia's fisheries. As such our comments pertain to Section 5. Sustainable use of natural recourses – Sustainability fisheries and aquaculture.

Sustainability Fisheries and Aquaculture

Proposed Actions

Proposed Action 3.11
Recfishwest agrees that the development of a new marine strategy is required and believe that this action must be given the highest priority. We fully support that such a strategy must include a cross agency framework for integrated marine planning to ensure that marine and estuarine resources are adequately protected and managed across all habitats within a bioregional framework.

Recfishwest has addressed this issue in a paper on marine conservation recently forwarded to the Minister for Fisheries and to the Minister for the Environment (copy attached). This Recfishwest paper is also directly relevant to your proposed action 3.13

Proposed Action 3.13
Recfishwest strongly disagrees with your proposed action to continue to implement the Wilson Report recommendations.

As stated above, Western Australia needs a new approach to marine conservation. Pursuit of the Wilson Report would concentrate virtually all the resources available for marine conservation on a relatively small proportion of the marine and estuarine area ignoring the values, threats and management needs of the rest. Experience so for has also demonstrate that the process id hopelessly slow and it has elicited divisive attitudes from stakeholders, including those who might be expected to philosophically support further marine conservation.

Recrefishwest believes that the Wilson Report recommendations should be revised in the light experience. It should be replaced with the Marine Planing Strategy recommended in 3.11. This clearly stated in the opening box where the Environmental Alliance is quoted as pointing out the absence of an overarching planning system integrating a marine reserve system, fisheries management and the Commonwealth Oceans Policy. Recfishwest further has commented on the inadequacy of the Wilson Report in its submission to the current review of the Marine Parks and Reserves Authority by Alex Errington (copy attached).

The approach detailed in the attached Recfishwest paper is to look at all the State's marine area on a regional basis and use a combination of tools including traditional fishery management as well as marine protected areas to achieve the objectives. In general terms this is the approach used by the Commonwealth (see **www.oceans.gov.au**).

Proposed Action 3.12
Recrefishwest believes that it is not sensible or, indeed, possible to try to rehabilitate the freshwater ecosystems of the South West. The declining rainfall and the various impacts of human settlement, including dry-land Stalinisation, will prevent the achievement of widespread rehabilitation. A more sensible action would be to establish and manage a "safe refuge system" to try to conserve the biodiversity of the South West freshwater fish stocks.

Proposed Action 3.14
The comments made by Recfishwest in respect to proposed action 3.13 also apply to this proposed.

Indicators and targets
We believe that an additional dot point indicator or target should be the number of Western Australian fisheries that have demonstrated sustainable exploitation via the adoption of appropriate management arrangements.

We have concern that second dot point suggests that the increase in number and size of marine reserves have a direct relationship to the attainment of fisheries sustainability. Sustainability may be achieved in many regions through appropriate fisheries management without any marine reserves being implanted. We believe that this statement needs to be qualified to ensure that it does not give the impression that marine reserves are the only tool that can achieve sustainability or that the absence or minimal size of reserves must indicate failure.

Please do not hesitate contact me at the Recfishwest office should further clarification or information in respect to the issues we have raised be required.

Yours Sincerely

Frank Prokop
Executive Director
14 February 2003

A proposal for a new system for marine conservation in Western Australia

Prepared by Recfishwest

The current Western Australian marine conservation program

Currently, the emphasis on marine conservation in Western Australia is largely directed to the protection of specific areas, under either the Marine Parks system or the Fish Habitat Protection Area system. Marine Parks (including marine nature reserves, marine parks and marine protected areas) are established through Parliament under the Acts Amendment (Marine Reserves) Act 1997 and vested in the Marine Parks and Reserves Authority (MPRA). They are managed by the Department of conservation and Land Management (CALM).

The Minister for Fisheries, under the Fish Resources Management Act 1997, can establish Fish Habitat Protection Areas and vest them in a body corporate. They are managed by the Department of Fisheries (DOF). In both cases zones or the whole area can be proclaimed as no taken areas, as sanctuaries or marine nature reserves or areas can be protected from nominated activities.

Marine Parks take precedence ti the extent that a Fish Habitat Protection Area cannot exist in a Marine Park. However, the agreement of the Minister for Fisheries as well as the Minister for Mines is sought before a Marine Park is established.

There is no joint planning process for marine conservation either in respect to marine protected areas or generally between CALM and DOF. The major function of DOF is to

ensure that exploration of fish resources is sustainable and to this extent they have a large fish conservation activity separate from the Fish Habitat Protection program. On the other hand CALM, which has a broad responsibility for nature conservation, is only involved in marine conservation in respect to marine protected areas and marine mammals and reptiles. Recfishwest believes that this distribution of functions leads to marine protected areas receiving excessive emphasis as a tool to manage marine conservation.

Recfishwest is concerned about the emphasis which is being given to marine protected areas compared to appropriate protection of the whole marine environment.

Differences between conservation management of marine and terrestrial areas.

There are undoubtedly many differences in management for conservation of marine and terrestrial areas but four are of particular significance to the argument of this paper.

- Coastal areas below high water are in public ownership in Australia. In contrast, a large proportion of the land is held in private freehold ownership or in private long-term crown lease.

- Coastal waters are managed by public agencies in Australia. The division of responsibilities between agencies may be according to particular function. Land, on the other hand, is generally managed by the private owner or lease unless it is crown land reserved for a particular and vested for that purpose.

- Because humans have evolved in a terrestrial environment their exploration of land has been much more intensive than marine exploration. The present situation is that a high proportion of terrestrial areas have had their natural habitat completely changed by agricultural or urban development or grazing. To stem the loss of biodiversity it is essential to preserve as much as possible of the little remaining original habitat. Most of the Marine area still retains a substantially unaltered habitat even though fishing may have greatly changed species abundance.

- Although birds and plants with wind dispersed seeds travel freely over large distances, most terrestrial species are restricted by distance and by natural or man-made barriers such as roads or cleared land. In contrast most marine organisms have remote dispersal mechanisms (spores, eggs or planktonic larvae), which move freely with currents in an environmental that has a considerable degree of uniformity.

It is suggested that these four differences should have a considerable impact on marine conservation management compared to conservation management of terrestrial areas. It is necessary to establish a terrestrial park as a special area vested for conservation purposes to bring it under appropriate public management. On the other hand all marine areas in Australia are publicly owned and can be managed appropriately for conservation within the limits of tother agreed uses. The boundaries of terrestrial conservation within the limits of other agreed uses. The boundaries of terrestrial conservation reserves have real meaning because the surrounding land is usually under difference ownership and management and has a vastly altered habitat. In contrast, marine reserve boundaries are much less distinct and the reserve and their surrounding areas clearly belong to a single system.

It does not seem logical to give almost the whole emphasis in marine conservation to reserves (protected areas), just because publicly owned reserves have to be the core of the conservation system on land. A sensible alterative is surely to manage the whole area of coastal areas in an appropriate way to achieve conservation objectives.

Marine conservation must be appropriate to the capacity of the government and community

A lot of the scientific literature which emphasis the use of marine protected areas for marine conservation has arisen from the experience of scientists from developed

countries who are working in developing countries. In many of these situations the pressure on marine resources are extreme. Fishing may be a subsistence activity and destructive fishing methods like explosives are common. In these situations, levels of communication between central government and the community are low and funding of fishery management is totally inadequate. In such a situation working with a local community to establish a marine protected area is probably the best and may be the only way to achieve marine conservation objectives.

Whether it is possible to manage the whole area of coastal areas ti achieve conservation objectives will depend on the political and socio-economic circumstances of the country. In order to try and manage the whole area properly the country would require the following characteristics.

- Adequate public scientific and financial resources
- Good communication between government and an educated population
- Preferably the absence of a subsistence fishery. Such a fishery puts almost unbearable social pressure on a management system and contains enormous latent effort if technology improves.

In some developing countries with a high population it is probably not practical to aim at overall management. However, the above criteria do apply in Australia. Ins such circumstances it should be possible to apply an overall management system in Western Australia. This does not mean there should not be any no-take areas; but it is suggested that marine conservation should be an overall system, not just limited to marine parks.

A proposed new system for marine conservation in Western Australia

The system proposed for Western Australia coastal marine conservation is to emphasis the importance of preserving the ecology of the whole coastal marine area in a natural condition, as far as possible. This would change the emphasis from conservation in individual marine parks or reserves to the conservation needs of coastal regions. This highlights the difference between the needs of terrestrial and marine conservation. On land, we have come to recognise the value of conservation through reserves because for a while it looked as if this was the only way nature conservation could be guaranteed. For much of Wester Australia the landscape was being permanently altered by clearing for developing or by pastoral grazing. To conserve representative areas we had to put them in a secure “box”. However, our coastal seas remain in public ownership and management and are essentially in near natural conditio. We do not have to put an artificial border around an area to manage it.

For each coastal marine region a board process would identify threats to be managed and values to be protected. For Western Australia, the IMCRA marine and coastal regions could be the basis. Within each region a decision framework would be followed ti identify management needs. The staff and resources of both CALM Marine Branch and DOF would need to be involved in the process. One step in this process would be how to sustainability manage fishing. The decision of whether the use of protected areas would be a part of this management would be made overtly. Both CALM and DOF as well as stakeholders would participate in such a decision. In Western Australia fishery management is by system of catch and effort control, together with temporal and spatial restrictions; but current research may identify situations where a mosaic of no-take areas provide a useful supplement or efficient alternative.

The suggested procedure for planing conservation management of a marine coastal region.

It is suggested that a parallel process to that used by CALM for consideration of management of proposed marine reserves could be used; but the spatial unit under consideration would a Western Australia IMCRA region rather than a proposed marine park. While the marine conservation management functions remain divided between CALM and DOF, both these

agencies would have to share the government responsibilities; but stakeholders and independent expertise would assist the committees/ working groups charged with the task.

The process cold start with the expert/community/stakeholder consultation group who would assemble information on the regional and determine the values and threats in the region. As a consequence of this assessment they would develop a management proposal that would aim to preserve the marine ecosystems. A part of this management proposal would undoubtedly involve the management of fish exploitation by the DOF; but which would be integrated into the overall plan. Another part of this plan would involve a consideration of the need for no-take areas (see next section).

When the consultation group had completed a draft management proposal it would be promulgated for a formal public consultation process. This could be followed by a formal approval by appropriate Ministers of the government. Because the regional conservation management plan would cover a wide spectrum of responsibilities as well as a large area it could not be given the status of a 'set in concrete' plan. Provisions would have to be made to incorporate the many adaptive management decisions, which would have to be made progressively. Depending on the significance of the decisions these would require consultation with or advice to relevant agencies and stakeholders.

It must be a decision for Government to determine the legislative and agency framework within which this system would work. At his stage Recfishwest does not want to commit itself to any particular model. A wide range of possibilities exist. Some of these would need little or no legislative change while others would involve specific new legislation. A common feature is that there would have to be some system for ensuring cooperation between and coordination of all government officers in the broad area of marine conservation.

Reasons for having no-take areas

Even if traditional fishery management systems are usually adopted, there will be a need in most regions for the establishment of some no take areas. Some of the reasons for such areas are: -

1. Preservation of biodiversity

This is an overriding requirement for both terrestrial and marine management. However, threats to biodiversity in terms of extinctions are not common in marine environments. If there really is a known threat of extinction to a marine species that can be prevented by a no-take reserve then an appropriate reserve should be established.

2. Snorkelling and dive viewing

Many people are interested in underwater swimming or diving to look at special marine environments and the value of this experience is enhanced by the presence of charismatic marine fauna. No-take areas can provide appropriate sites for snorkel and diving viewing.

3.Managing fish resources for sustainability

The most common ways of managing fisheries for sustainable yield are to limit catch directly by quotas or by limiting effort. An alternative way that has been proposed for managing a fishery is by no-take areas.

4.Ecosystem protection

Natural ecosystems can be disturbed by physical or chemical impacts in the marine environment or by fishing activities that cause major changes in abundance and thus affect trophic interaction between species. It can be argued that as well preserving biodiversity in terms of individual species ecosystems should be protected from human interference to preserve natural interactions between species.

5. Scientific reference sites

Representative scientific reference sites are required if we are to make progress in our knowledge of marine management. Monitoring of such sites provides datum points with which

we can compare the results of our management systems. Making long-term provision for monitoring must be an integral part of the establishment of these no-take areas.

Considerations relevant to the need for no-take areas

1. Has a threat of extinction been identifies in the area? If so, can the threat be best countered by habitat protection, from trawling or industrial activity for example? If the answer is yes a habitat protection area should be established. If this requires the establishment of a fishing no-take area then such an area should be established. However, the protection should be relevant ti the threat. It is not sensible to ban line fishing to protect rare gastropods or leafy sea-dragons.

2. Is there demand for dive viewing sites because of eco-tourism activities, population centres, or coastal resorts? Are there suitable sites where high densities of interesting fish may be seen? If community consultation identifies such then appropriate small areas should be established as no-take areas for this purpose.

3. Has it been between scientists that area protection is likely ti be the most appropriate technique for managing all fishing in this region or significant proportion of the targeted species? If so, then the agreed parts of the area should be protected from all fishing or particular kinds of fishing (if the area protection is temporary or for part of each year this would be regarded as conventional fishery management). The size and number of no-take areas will be influenced by the need to adequately buffer the area from fishing on the edges yet to have adequate migration of targeted fish from protected to fished areas.

   If area protection has been adopted as the fish management system for the region, it is likely that the area fully protected for this purpose will be sufficient to meet the needs of ecosystem protection and scientific reference sites so the process in complete. If, however, the overall fish management system is to remain, as it is currently in most of Australia, a mixture of catch and effort limits with some spatial and temporal closures, then on more step is needed.

4. Areas should be set aside with habitat and no-take protection to meet the needs of ecosystem protection and scientific reference sties. Obviously such areas must include representation of the range of habitats in the region. They should be fairly large to reduce edge effect problems. These areas should be located as far as possible away from areas of high human use to minimise social impact and therefore improve the likelihood of their implementation.

Need for more intense management of particular areas.

Undoubtedly there are some marine areas along the coast of Western Australia which have special needs for more intense management. However, it is not sensible to make them marine parks and then try to establish all the usual zones including no-take areas. For example the Dampier Archipelago is obviously in need of special management considerations. It contains the biggest port in Australia, a lot of giant industry, it is the most intensively used recreational fishing area on the Pilbara coast and has striking natural features. Recfishwest contends that it should have special management arrangements but it may be an appropriate location in which to locate the highest level of ecosystem protection. This can be done up or down the coast where competitive pressures are less. Perhaps the most obvious example is Cockburn Sound. With the concentration of population and industry sitting on a virtually unique habitat it has to have especial management arrangements; but no one would select it as a site for highest levels of ecosystem protection.

Recfishwest suggests that the need for more intense management of some areas along our coast should be uncoupled from the marine park process. We favour recognising the natural values of our whole coastal sea and trying to conserve it. In doing this, some areas will be identified as no-take, no-disturbance areas for highest ecosystem protection. We are fortunate in Western Australia that we will usually be able to do this in areas that are

protected from heavy pressures by their relative remoteness. The special areas that are already highly valued by many sectors of the community can be given special management by bodies like the Cockburn Sound Management Council to enable the community to get the maximum possible use from these areas with the minimum environmental harm and minimising levels of competition.

Benefits of the proposed systems compares to the present arrangements

The proposal would deploy the resources the government/community allocates to marine conservation in a balanced way along the coast looking at all the values and all the needs rather than selecting some icon sites which then use up most of the available resources.

Marine conservation should benefit because larger areas can be set aside for the highest level of protection. This would be possible because we would not be trying to combine marine conservation with tourism and recreation sites where competitive pressure are highest.

Although it would not be easy ti integrate the efforts of CALM and DOF, together with input from the Department of Planning and Infrastructure, the proposed system would make it essential. Scientific research and community preferences should determine our marine conservation policy. The government agencies must then work together to implement this policy.