

Buccaneer Plan Coordinator - Aboriginal Engagement, Planning and Land Unit,  
Department of Biodiversity, Conservation and Attractions,  
Planning Branch,  
Locked Bag 104,  
Bentley Delivery Centre WA 6983.

Dear Coordinator,

### **SUBMISSION ON DRAFT MANAGEMENT PLANS FOR THE BUCCANEER ARCHIPELAGO AND SURROUNDS**

Thank you for the opportunity to comment on the draft management plans for the Bardi Jawi, Mayala and Maiyalam marine parks, and for the community engagement undertaken by DBCA and the Traditional Owners with the communities of Broome and Derby during the public consultation period.

Marine parks represent an investment of taxpayers' money in conserving biodiversity and promoting sustainable use and as such they should be designed to increase opportunity and livability for members of the community. It is our firm belief that marine parks should aim to improve recreational fishing experiences with no net loss of amenity and that any loss of access must be based on evidence fishing poses an unacceptable risk to conservation objectives of the park. We believe any loss of fishing access should be avoided where possible and explained and offset in instances where a loss of access is unavoidable.

The legislative purpose of a marine park is to allow recreational activity consistent with the proper preservation of the conservation values of the park. Therefore, any restrictions on a recreational activity should be accompanied by an explanation of how the activity has been deemed incompatible with a park's conservation values. This is especially true when other activities in the same area are deemed compatible. Recfishwest strongly believes recreational fishing should be embraced within marine parks as it can be a low-impact activity with high social, environmental and economic benefits.

The three marine parks in the Buccaneer Archipelago and surrounds are unique in that they have been co-designed with Traditional Owners. This means management of these parks should support the aspirations of Traditional Owners better than any other marine park has managed to do. Recfishwest look forward to the time when recreational fishing aspirations are captured equally as well in marine park management plans.

Since the release of the draft plans, Recfishwest has worked hard to convince the fishing community to participate in the planning process. While DBCA and Traditional Owner groups have said they are open to changing the draft plans, it would be better for future draft management plans to incorporate recreational fishing values and aspirations into the planning process much earlier.

Recfishwest acknowledges the Traditional Owners of the land and sea, and pays respect to the past, present and future elders of WA's indigenous communities. Recfishwest recognises the strength, resilience and capacity of traditional custodians in managing and caring for the land and sea. We acknowledge and respect their continuing culture and the great contribution they make to life in Western Australia.

Recfishwest recognises Bardi, Jawi, Mayala and Dambeemangarddee Traditional Owners have a connection to country that is central to their culture. Recfishwest also recognises Traditional Owners have an important responsibility to look after the country so future generations can share the same experience as their elders and ancestors. This is a key value shared by recreational fishers and something to which everyone in the community can aspire.

Recfishwest fully supports the rights, knowledge, interests, aspirations and culture of Traditional Owners being better incorporated in the management of WA's aquatic resources. Recfishwest believes this can and should be done in a way that also respects the interests of recreational fishers who share many of the same values as Traditional Owners and who also have a legal right to access and fish in the waters of the archipelago.

In addition to recognising and supporting the rights and aspirations of Traditional Owners, Recfishwest is also generally supportive of marine parks when they are created for recreation, science, education, conservation, cultural protection and enhanced visitor experiences. Recfishwest believes recreational fishing is largely compatible with the conservation objectives of marine parks and that fishing is an activity that must be recognised as a key value when formulating management plans.

Since the release of the draft Bardi Jawi, Mayala and Maiyalam marine park management plans Recfishwest has spoken extensively with fishers and other fishing-related stakeholders, especially in Broome and Derby. We received a great deal of feedback which has been used to inform our submission.

Our submission is aimed at not only improving the draft Bardi Jawi, Mayala and Maiyalam marine park management plans, but also improving future marine park planning processes. By ensuring recreational fishers are afforded the earliest opportunity to contribute to the development of draft management plans future conflicts can be avoided and more broadly accepted plans can be developed.

In providing feedback on the draft Bardi Jawi, Mayala and Maiyalam marine park management plans, our submission focuses on five key areas;

- General comments on the draft plans;
- Impact on quality of life in Broome and Derby;
- Ongoing confusion between Native Title, joint vesting and marine park management;
- A perceived lack of science and consistency with other management plans;
- Outdated perceptions of recreational fishing; and
- Specific feedback on the three draft management plans.

## GENERAL COMMENTS ON THE DRAFT PLANS

The sheer size of the proposed marine parks in the Buccaneer Archipelago and surrounds came as a surprise to many people. The proposed marine parks in the Buccaneer Archipelago and surrounds are larger than the Perth metropolitan area, while the total population of the Kimberley is less than 2% of the same area. The recreational fishing pressure the area covered by the proposed marine parks receives is minimal and any ecological impacts from recreational fishing is so low it is unlikely it could even be measured.

At 556,000ha these parks are twice the size of the Ningaloo marine park and almost 60 times larger than the Marmion marine park, with which is the marine park most people are most familiar. Unlike the Ningaloo and Marmion marine parks the draft management plans for the Buccaneer marine parks would prohibit fishing in 95% of the most valuable fishing areas, and this represents a gigantic loss for the recreational fishing community.

Claims fishing will be allowed in 60% of the marine park are misleading, as the areas to remain open for fishing are largely of little or no value for fishing due to depth, fast tidal flows and featureless bottom habitat devoid of target species. The draft plans lack of access to family-friendly fishing experiences such as fishing for mangrove jack, fingermark and barramundi in the creeks and nearshore waters, demonstrates the planning process has so far failed to adequately understand how fishers use and value the area.

The area covered by the proposed marine parks is a special place for recreational fishers and every fisher we spoke to supports Traditional Owners and traditional knowledge playing a greater role in the management of this area. Recreational fishers are also supportive of avoiding areas where cultural activities requiring privacy are taking place, although it should be noted they rarely see any other people when they visit the archipelago. Given the sheer size of the proposed marine parks, combined with the relatively low levels of visitation, we find it hard to understand why the plans in their current form are denying access to nearly all of our favourite fishing spots.

Western Australia is regarded as a global leader in fisheries management and is home to some of the world's most highly regarded fisheries managers and scientists. Western Australia was the first place in the world to receive third party accreditation through the Marine Stewardship Council and the move to ecosystems-based fisheries management has been followed by many other jurisdictions around the world.

Western Australia's excellent reputation for fisheries management has been achieved through the utilisation of a number of management measures including – but not limited to – bag and size limits, seasonal closures, spawning closures, wilderness areas, quotas, gear restrictions to name just a few. Each fishery is managed using a range of the most suitable management measures, yet the proposed marine parks have chosen to adopt only a simple zoning approach to management.

Zoning that simply excludes certain activities such as fishing is a blunt tool that works best in the absence of any other type of fishery management. Current management in the archipelago includes size limits, bag limits, restrictions on the issuing of new charter licences, limits on commercial fishing activity and gear. Combined with WA's reputation for excellence in fisheries management it is hard to see what additional benefit zoning will have for fish stocks in the marine parks. Many fishers expressed surprise

that zoning was the only approach used as they were expecting traditional knowledge gained over thousands of years to play a more prominent role in the management of the parks given the co-design and joint vesting nature of the parks.

As the creation of the parks are a priority of the McGowan government's *Plan for our Parks* initiative, all the tools available to government should be utilized to achieve the best management outcomes possible. To limit park management to the tools available to a single government department or a single piece of legislation simply doesn't do justice to this special area.

It is commonly accepted that marine parks can redistribute fishing effort and create problems and conflicts in adjacent areas. By restricting access to 95% of the most valuable fishing locations in the archipelago there are concerns about a concentration of commercial and recreational effort in areas outside of the marine park boundary such as in Goodenough Bay and Blue Holes. There are also safety concerns around fishing activity being pushed further offshore due to fishers being excluded from nearly all nearshore fishing areas in both the Buccaneer Archipelago and on both sides of the Dampier Peninsula.

Given the size of tides in this part of the Kimberley, there are serious concerns fishers will move away from traditionally safe anchorages just so they can catch a fish to eat while anchored. While the draft management plans for all three parks purport to have heavily considered safety outcomes most fishers feel the draft plans will result in an overall reduction in fishing safety. Recfishwest is leading a State-wide fishing safety program under a Service Level Agreement with the Western Australian Government and we share the community's concerns. We would like our strong concerns around possible reduced safety outcomes to be specifically noted.

Recreational fishers are concerned they will be locked out of their favourite fishing spots forever. Fishers have not had an opportunity to contribute to the development of the draft plans to date. Concerns are heightened in this instance as history shows final management plans are most often almost identical to the draft plans released for public comment. Recfishwest acknowledges both DBCA and Traditional Owner groups have said they are open to changing the draft plans which is reassuring, because once the plans are implemented history also suggests they will rarely change.

While all marine park management plans are intended to be implemented for a 10-year period the unfortunate reality is once marine park management plans expire, they are simply rolled over, rarely reviewed and almost never changed. Whenever Recfishwest asks about changing management within marine parks, we are repeatedly told to wait until new management plans are created. We have been patiently waiting for years, and continue to wait, however, this opportunity simply never occurs.

Any suggestion the management plans for the Buccaneer Archipelago and surrounds marine parks will be reviewed in 10 years, at which time recreational fishing concerns can be better addressed, or when there is more data on fishing impacts and catch levels, simply cannot be relied upon due to the past exceptionally poor track-record of reviewing and revising marine park management plans.

Despite a legislative responsibility to review and revise management plans in a timely manner there is currently not a single marine park older than 10 years (when the initial plan has expired) that has a current management plan in place. It is also worth noting that many of the management plans currently being relied on to manage our marine parks expired a significant time ago including;



- The Marmion Marine Park Management Plan which expired 19 years ago
- The Shark Bay Marine Park Management Plan which expired 15 years ago
- The Swan River Marine Park Management Plan which expired 12 years ago
- The Jurien Bay and Ningaloo Marine Park Management Plans which expired 6 years ago

Given this, it is vital every effort is made to ensure the first management plan is the best it can be.



*Fishing experiences in the Buccaneer Archipelago are amongst the best in the world.*

## IMPACT ON QUALITY OF LIFE IN BROOME AND DERBY

Fishing is a key part of the Kimberly lifestyle and is central to how people live. The Buccaneer Archipelago and surrounds provides a diversity of fishing experiences, including a range of species and habitats not available in the waters adjacent to Broome or Derby. For fishers from Derby in particular, the Buccaneer Archipelago offers blue water fishing and a completely different experience to that on offer in the brown water close to town. For Broome fishers the Dampier Peninsula and Buccaneer Archipelago provide an alternative to the limited habitat and fishing experiences on offer in Broome.

Whether it is spending time with family and friends, connecting with nature or teaching kids about boating and fishing, fishers have a deep connection with the Buccaneer Archipelago and surrounds. Many fishers have been visiting the area their entire lives and they want to continue to share these experiences with their children and grandchildren.

Fishing is the reason many people choose to live in Derby and many residents have said they will consider leaving town if the marine parks are adopted in the current form. Fishing it is a part of the social fabric of the community and loss of fishing access to the Buccaneer Archipelago and surrounds will greatly affect the liveability of the town.

Fishing is an important catalyst for social interaction, a major drawcard used by local businesses and governments to attract staff and with no organized sport available in Derby, fishing is often the only recreation kids have.



*Fishing in the Buccaneer Archipelago and surrounds is an essential part of the social fabric of Broome and Derby*

## CONFUSION BETWEEN NATIVE TITLE, JOINT VESTING AND MARINE PARK MANAGEMENT

As the boundary of the marine parks have been aligned to Native Title determinations many people are confused about the inter-relationship between Native Title, marine parks and joint vesting. Many people think that because Native Title rights exist within the area covered by the proposed marine parks, and because Traditional Owners have jointly designed the management plans and will be jointly managing the parks, these interests will take precedence over the interests of other stakeholders. An effort to dispel this perception is needed.

The Bardi, Jawi, Mayala and Dambeemangarddee Native Title determinations all recognise Traditional Owners have a mixture of exclusive and non-exclusive native title rights. The exclusive rights largely apply to the land while the non-exclusive rights largely apply to the waters where there are other existing public rights such as the public right to fish and the right of innocent passage.

A DBCA fact sheet on Native Title that was recently provided to marine park stakeholders on the south coast explained that where there are inconsistencies between non-exclusive Native Title rights and other users' rights, the non-native title rights prevail. This is also recognised in Section 212 of the Native Title Act. Better communication of this hierarchy of rights to stakeholders in the north coast will help ease concerns the parks are being designed and managed in a way that puts Traditional Owners rights above the rights of other stakeholders.

The difference between joint management and joint vesting has also not been well explained. Joint management recognises that DBCA and a Prescribed Body Corporate have shared responsibilities for management of the land and waters in accordance with a management plan developed by DBCA. Joint vesting recognises an equal and shared legal responsibility between the State and the Prescribed Body Corporate to develop and review management plans, consult on the granting of licences and leases and an equal role in being consulted and providing advice to the Minister for Environment on management changes. Regardless of whether a marine park is jointly managed or jointly vested, the purpose of the marine park does not change and neither do the legally binding requirements of a management plan.

The purpose of a marine park as defined in the Conservation and Land Management Act is to *allow only that level of recreational and commercial activity which is consistent with the proper conservation of the natural environment, the protection of flora and fauna and the preservation of any feature of archaeological, historic or scientific interest*. The purpose of a marine park doesn't change regardless of who designed the park, who will manage the park or with whom the park is vested. All Joint vesting partners have legally binding requirements to allow a level of recreation that doesn't compromise conservation values.

As explained in parliament recently by the member for Baldivis when referring to a Bill he introduced: *"At the moment, fauna, flora and conservation areas can be protected by declaring a special protection zone, and then we apply a test to determine whether other activities may or may not be compatible within that zone."* Marine Park Management Plans need to describe if (and how) such tests have been applied and why recreational fishing within the (cultural protection) zones has been determined to be incompatible with the conservation purpose of the zones (unless undertaken on a charter vessel or guided tour). Explaining the testing that occurred to determine why people can travel, anchor and recreate in these areas, but not drop a line over the side to catch a fish, will assist the community in better understanding how the draft management plans were developed. Hopefully the information contained within



submissions will provide enough additional information to justify re-testing the suitability of recreational fishing within these zones.

Better communication about the interplay between the hierarchy of conflicting rights, joint vesting/management, the purpose of marine parks and the tests that have been applied to determine the compatibility of activities within various zones, will assist the community in better understanding the management plans.



*Fishers have a special connection with the Buccaneer Archipelago and surrounds, and enjoy undertaking their fishing experiences in this picturesque setting*



## A PERCEIVED LACK OF SCIENCE AND CONSISTENCY WITH OTHER MANAGEMENT PLANS

The draft plans are significantly different from other marine park management plans. They have a much greater focus on Traditional Owner aspirations and are largely lacking specific and clear Key Performance Indicators. Consequently, the plans are seen as aspirational documents rather than natural resource management plans based on scientific principles. The absence of information about recreational, cultural, charter and commercial fishing impacts on the conservation values of the park combined with the notable absence of many future research priorities detracts from the scientific integrity of the draft plans and is something that should be addressed in the final plans.

As much of the water within the parks are unsurveyed and uncharted, it is unclear what is being protected, how it is threatened and the extent to which recreational, cultural, charter and commercial fishing poses a threat. Given the higher productivity of warmer northern waters, low visitation levels, limited access points and current fishing rules, any ecological impact recreational fishing has within the marine park is likely to be too small to be measured.

Recreational fishers and Traditional Owners both have fear about the impacts the sealing of the Cape Leveque Road will have on visitation numbers and fishing pressure in proximity to the Dampier Peninsula and Buccaneer Archipelago. While many businesses along the peninsula are advocating for increased visitation through strong promotion of their tourism operations, Recfishwest acknowledges the fears about the impact sealing the road will have are very real. Unfortunately, the draft management plans have done little to understand or qualify these fears instead letting them shape the design of the draft plans.

The draft plans repeatedly predict a minimum 76% increase in visitation in the decade following the sealing of the Cape Leveque Road. This prediction comes from a 2018 report compiled for Tourism WA using source data that the report itself acknowledged was *'limited and unable to be verified'*. The report also did not differentiate between the predicted increase in visitation for fishing and other purposes and instead relied on a series of assumptions which have since shown to be wildly inaccurate.

This report stated the global economic environment was *'about as good as it gets'* and assumed *continued economic growth for Australia, interest rate rises and a 5% annual growth in the cruise market after 2020*. The reality is since the report was published Australia entered into a recession, interest rates fell to and remain at historic lows and the global cruise industry has decreased 80% as a result of COVID. Given the questionable data available, the report undertook modelling however due to the limited sample size and data series available the modelling technique that was used (exponential smoothing) also presents significant problems.

While exponential smoothing can be useful for short-term forecasts it does not handle trends well and is only accurate when a reasonable amount of continuity between the past and the future can be assumed. This is not the case when modelling the expected impact of major changes such as the sealing of the Cape Leveque Road over a 10-year time period. To blindly quote the report's findings when developing the draft plans, without attempting to qualify them or use other available data such as accurate fishing from boat licence numbers or catch estimates, only serves to feed people's fears about the impact sealing the road will have.

Two of the draft management plans also incorrectly referred to '*Recreational boating numbers increasing in the Kimberley in the last five years*' while the other draft plan referred to '*unmanaged recreational fishing*' as a pressure on the area.

The reality is;

- Recreational fishing is well managed using a range of measures and this management is regarded as world-class and has been consistently recognised through third-party verification.
- DPIRD data indicates that the number of recreational fishing from boat licence numbers in the Kimberley are, at the time of this submission, less than they were five years previously and less than they were in 2012/13 when the first i-Survey of boat-based fishing was undertaken.
- The percentage of State-wide boat-based recreational fishing effort that occurs in the Kimberley is, at the time of this submission, half of what it was in 2012/13.
- The number of boat day, fishing activity and hours fishes in the North Coast is lower at the time of this submission than it was in 2012/13; and
- Only 2.6% of all recreational boat-based catches occurs across the entire Kimberley, an area covering around 25% of Western Australia's coastline.

The fact this easy-to-find and publicly available information does not appear to have been considered when developing the draft plans demonstrates a failure to adequately understand the impacts of recreational fishing. This omission is likely to have led to the outdated perceptions about recreational fishers which resonate throughout the draft plans.



*Traditional fisheries rules such as bag, size and possession limits have ensured that the quality of fishing in the Buccaneer Archipelago and surrounds remains world class.*

## **OUTDATED PERCEPTIONS OF RECREATIONAL FISHING**

The perception that recreational fishers travel to the Buccaneer Archipelago and surrounds to fill their freezers is a myth and largely a phenomenon from a bygone era; recreational fishing philosophies have changed a lot in the last 20 years and this change should be recognised and captured in the management plans. The fill-the-freezer mentality is a thing of the past as witnessed by the rise of catch and release fishing, the embracing of wilderness fishing concepts, adoption of better fishing practices and fishing clubs regularly engaged in conservation projects and hosting clean-up activities at their favourite fishing spots.

Recreational fishers are increasingly leaving areas cleaner than they found them and fishers are leading the way on fish welfare more than any other stakeholder group. It was recreational fishers who bought out commercial nets from the mouth of the Fitzroy River. This not only protected family fishing experiences close to Derby but also provided greatly improved conservation outcomes for endangered sawfish.

It was recreational fishers' concerns for demersal fish stocks close to popular towns as a result of increased COVID-related domestic tourism which drove the introduction of a 'trip limit' and the introduction of release weights State-wide to increase the survival chances for undersize fish. DPIRD announced these new recreational fishing rules in early June 2021 and the new rules will take effect from 1 July 2021.

Fishing is an enabler for broader social interaction and fishers may only visit the area covered by the proposed marine parks a few times a year with visitations generally limited to between April and November. Any fears hordes of recreational fishers will be in every creek every day of the year is simply not rational or warranted.

The large tidal movements in the Buccaneer Archipelago and surrounds don't allow for long periods of fishing time each day and the current fishing rules restrict people to two days' bag limit regardless of how many days they spent in the marine parks.

Recreational fishers have a history of respecting the Buccaneer Archipelago and surrounds with most visitors going fishing as part of a wider experience and taking home very few fish. The ability to easily restrict road entry to the peninsula, the existing bottleneck for launching at Cygnet Bay/Cape Leveque at peak times and the decrease in the population of Derby over recent years means the sealing of the road may not result in more vessels being able to launch or significantly more fishing pressure occurring in the marine parks.

The outdated perceptions of recreational fishing may explain why recreational fishing has been deemed incompatible with some zoning types (unless conducted onboard a charter vessel or guided tour). Conversations during the consultation period have suggested charter fishing compatibility with cultural values is due to greater understanding about how the charter sector operates and greater confidence in the level of catch taken by this sector. If this is the case, it should also be noted the recreational sector has a number of best practice guides, bag limits that ensure catches remain sustainable and a strong appetite to contribute to science and a better understanding of recreational catch levels. The rationale for how catching a fish from a charter vessel or guided tour is different to catching the same fish from a private recreational vessel should be explicitly explained in the final plan.

The inconsistency between the permitted activities in the special purpose (cultural protection) zones between these plans and other nearby marine parks. In the Yawuru Nagulagun, Eighty Mile Beach and North Kimberley Marine Park management plans special purpose (cultural protection) zones deem recreational and charter fishing compatible with the conservation values of the zone.

Given the proximity of these other parks, Recfishwest see no reason why recreational fishing is being treated differently in these proposed plans. Allowing recreational fishing in these zones would alleviate many of the concerns anglers have raised regarding these proposed plans.

**Recfishwest believe that special purpose (cultural protection) zones in the proposed Buccaneer Archipelago and surrounds marine parks should allow recreational fishing.**



*Barramundi such as this one are a prime target species in the Buccaneer Archipelago and surrounds. Fishing for species like this will be significantly impacted should these draft plans be implemented.*



## SPECIFIC FEEDBACK ON THE THREE DRAFT MANAGEMENT PLANS

There is a lot of confusion about the rationale for many of the zones contained in the draft plans. The zones cover an extremely large area and recreational fishers do not target or interact with many of the significant marine fauna the zones are designed to protect including turtles, dugongs, whales, sawfish, dolphins, crocodiles and rays. Recreational fishers also do not interact with many of the significant habitats the zones are designed to protect including deep subtidal, shelf canyon, rhodolith beds, island-forming habitats, sandy beaches and estuary channels making the exclusion of fishing from these zones hard to understand. It should also be noted that many of the significant marine fauna the zones are designed to protect are already protected through existing State and Commonwealth laws.

It is accepted traditional culture and lore can make it difficult to fully explain why recreational fishing is incompatible with cultural values. However, given fishing is compatible with cultural values in nearby marine parks, a greater understanding about how catching a fish compromises cultural and ecological values (unless the fish is caught via a charter or guided tour) is required in order to enable a greater understanding and acceptance of any restrictions on recreational fishing access.

The guidelines for establishing the National Representative System of Marine Protected Areas upon which these draft plans were developed suggest *the full range of ecosystems should be recognised at an appropriate scale within and across each bioregion*. This is captured in the principle of *comprehensiveness*. It should be noted the draft plans contain significant repetition of the ecosystems and bioregions represented by the proposed sanctuary zones. For example, the Twin Islands and Sunday Strait, Biidib, Yoorroon, Oobayal, Dijee, Bordo, Bullbull, Waddaddam and Macleay Island sanctuary zones all purport to protect coral reef habitat in the Kimberley Bioregion. It should also be noted there are currently several existing sanctuary zones within the Lalang-garram marine park which have also been designed to protect the same habitat within this bioregion.

Repeatedly including the same habitat as a rationale for different sanctuary zones within the same bioregion unnecessarily restricts recreational fishing. This repetition undermines the intent of the purpose of the marine park as defined in the Conservation and Land Management Act of 1984.

Recreational fishers have provided feedback expressing concern about nearly every sanctuary and special purpose zone and while all of these concerns should be addressed, this submission outlines the sanctuary and special purpose zones of most concern.

### **Proposed sanctuary zones of most concern include:**

- Robinson River and Helpman Island sanctuary zone – This area is a well-known and popular location in close proximity to Derby. The creek systems to the north of Robinson River including Kimbolton Creek and Dam Creek are highly popular and valued fishing locations. Fishing within this proposed sanctuary zone can be undertaken as a day trip from Derby although overnight stays and weekend trips are also common.

**Recfishwest recommends amending this sanctuary zone to allow fishing within Dam Creek, Kimbolton Creek and Robinson River.**

- Waddaddam (Coppermine Creek) – This area is a favourite for recreational fishers. The creek provides a scenic and natural safe harbour providing the opportunity to catch a feed while safely anchored.

Coppermine creek also acts as a base from which to explore the waters of the northern archipelago. Recfishwest acknowledges that the proposed Waddaddam sanctuary zone covers only approximately half the creek system, however in its current format, this zone will eliminate all opportunity to fish for popular species such as barramundi, threadfin and mangrove jack.

**Recfishwest recommends amending this sanctuary zone to allow fishing experiences for species such as barramundi, mangrove jack, threadfin salmon and mud crab.**

- Yawalgi – This zone is a popular fishing location accessed by recreational fishers. The blue water fishing available in this area is highly valued and the area is within easy reach of people camping in Coppermine creek or Cockatoo Island.

**Recfishwest recommends amending this sanctuary zone to allow fishing to take place in the southern half, which provides many safe and accessible anchorages around the multitude of islands within this zone.**

- Biidbid – This zone incorporates an important area for recreational fishers. The area east of a line between Farr Island and Tyrer Island is popular for demersal (bottom) fishing. With fishing occurring in this zone only when weather and tide allows, fishers have very limited interactions with nesting green and flatback turtles during the summer months which was a primary driver for the creation of this zone.

**Recfishwest recommends amending this sanctuary zone to allow fishing in the eastern third of the proposed zone, which provides safe anchorage around the islands for vessels transiting to the Buccaneer Archipelago from the Dampier Peninsula or Derby.**

- Yaloon (Cone Bay) – This creek is a popular place to catch smaller barramundi that have escaped from the nearby aquaculture facility. As these farmed fish are sourced from broodstock with Queensland genetics it is unclear how restricting recreational fishers from catching these imported escaped fish will benefit ecological values of the area. Given the existence of the Yalu community in the lower reaches of the creek, fishers are generally supportive of avoiding the waters in proximity of the community to provide community members with privacy.

**Recfishwest recommend that the proposed zone could be reduced in size or zone type changed retaining recreational fishers' ability to catch a barramundi while also providing privacy for this community.**

- Pender Bay – While an important area for whales, dolphins and dugongs with which recreational fishers do not interact, Pender Bay Sanctuary Zone and the (cultural protection) zones on both sides of the peninsula remove nearly every opportunity to catch a barramundi, mud crab or mangrove jack from a creek or nearshore waters.

**Recfishwest recommends amending this zone to allow some fishing opportunity for important species such as barramundi, mangrove jack and threadfin salmon.**

- Gananguddee Eewuleg (Dog Leg Creek) – There has been a fuel barge at this location for many years and recreational fishers rely on this barge for fuel supplies. The presence of the barge means fishers no longer need to carry excessive amounts of fuel with them thereby reducing the risk of fuel spills throughout the archipelago.

**Given the extremely low impact of recreational fishing in Dogleg Creek, Recfishwest does not believe a sanctuary zone is required at this location.**

**Proposed cultural protection zones of most concern include:**

- Oobeeyal & Oonggaliyan (Inland Sea) – When entering from Stokes Bay to the south or Cascade Bay from the north the Inland Sea provides safe anchorage and is one of the most important areas within the archipelago for recreational fishers. It offers safe fishing for species such as barramundi, threadfin salmon, mangrove jack and fingermark. Its proximity to Derby makes it ideal for an overnight stay. Additionally, the Inland Sea is the perfect place to complete repairs if required or to ride out bad weather. It is a vast area and prohibiting people from catching a fish to eat is likely to result in them anchoring in other less safe areas.
- Duddgu & Janbarrgal (Graveyards) – Another area of great significance for fishers is Graveyards. It also provides a safe anchorage and a range of fishing opportunities in sheltered waters. From catching trevally, fingermark and tuna at the entrance to Graveyards from Strickland Bay or catching barramundi in the tidal creeks, Graveyards provides both blue water and creek fishing. The large pearl shell beds exposed at low tide are of no value to recreational fishers who avoid this area during low tides. The impact of restricting fishing in Graveyards and the Inland Sea is significant and should not be underestimated.
- Garngarngaddaj & Barrali (Strickland Bay) – Recreational fishers highly value fishing in this area for barramundi and mangrove jack. The conservation purpose of this zone recognises the significant cultural stories associated with this area and the important cultural resources that can be found in the hollows of some jindirm. As recreational fishers do not interact with, or look for any resources in mangrove hollows, their incompatibility with cultural values of the area is limited.
- Dampier Peninsula - The large sections of waters along the Dampier Peninsula proposed to be off-limits for recreational fishing encompass nearly all the opportunity to fish in creeks along the peninsula thereby effectively preventing people from catching a barramundi, mud crab or mangrove jack.

**Recfishwest recommend allowing recreational fishing as a permitted activity within special purpose (cultural protection) zones in the same way it is permitted in the cultural protection zones in nearby marine parks.**

## CONCLUSION

The Buccaneer Archipelago and surrounds is a special place for recreational fishers and fishers we spoke to believe the area can be managed better and supports Traditional Owners and traditional knowledge playing a greater role in the management of the area. Recreational fishers are also supportive of avoiding areas where cultural activities requiring privacy are taking place and they are open to discussing ways recreational fishing and cultural aspirations can peacefully co-exist. Given fishers and Traditional Owners have many shared values including a love and respect for the area we are confident this can be achieved relatively easily.

Recreational fishers and Traditional Owners both have recognised rights to fish in the Buccaneer Archipelago and surrounds and both groups share fears about what the future of the archipelago looks like. Fishers want to work with Traditional Owners to preserve the area covered by the proposed marine parks for future generations and ensure this special place is looked after forever.

Fishers have a desire to learn about what is important to Traditional Owners and they want to provide Traditional Owners with the opportunity to learn about what is important to them. A special place needs special management and if the same tired zoning approach to marine park management occurs in this marine park, then a great opportunity to achieve something special will have been lost.

Recfishwest recommend allowing recreational fishing as a permitted activity within special purpose (cultural protection) zones in the same way it is permitted in the cultural protection zones in nearby marine parks. We also recommend re-examining the necessity for the sanctuary zones highlighted in this submission. Recfishwest feel many of these zones would achieve the same conservation outcomes if they were re-zoned as cultural protection zones.

I hope the information contained in this submission can inform the development of a management plan that both fishers and Traditional Owners can embrace. Should you require any further information or want to discuss any aspects of this submission in more detail, please do not hesitate to contact me on 9246 3366.

Yours sincerely



Dr Andrew Rowland  
Chief Executive Officer

11 June 2021