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Senator Ian Campbell
Minister for the Environment & Heritage
Parliament House, Canberra, ACT



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Dear Minister

RE SOUTH-EAST MARINE PROTECTED AREA PROCESS

I am writing to provide you with comments from the Tasmanian Conservation Trust on the Commonwealth's 2005 marine protected area (MPA) proposal and the alternative proposal outlined in the FRDC funded report (Buxton et al. 2006) *Regional impact assessment for the marine protected areas proposed for the south-east region*.

Neither the Department of Environment & Heritage (DEH), nor the Buxton et al. (2006) proposed system of MPAs, adequately satisfy the biodiversity protection requirements for an Australian National Representative system of Marine Protected Areas that aims to ensure that comprehensive, adequate and representative (CAR) areas of the marine environment are protected.

Even a superficial assessment reveals that these proposals do not include representative areas of significant marine communities. In particular, shallow water communities and productive fishing grounds are not adequately protected.

The findings of the South-east Scientific Reference Panel assessment suggests that there are major problems with the DEH proposal. It points out that the proposed MPA system "... fails to meet the (biodiversity) design specifications and is unlikely to achieve the CAR (Comprehensive Adequate and Representative) aims fully, because it does not include the diversity of depth, location, productivity, sedimentary and geomorphological units, which are our main surrogates for biodiversity".

The proposal by Buxton et al. (2006) does not define MPAs according to biodiversity criteria. It is little more than an outline of economic impacts on the commercial fishing industry, and is not an acceptable method for determining MPA boundaries that aim to provide a comprehensive, adequate and representative system of MPAs for the protection of biodiversity.

The way the DEH process appears to either ignore or avoid fishing activities is a major oversight. Given the lack of formal research on the distribution of some habitat/community types, a useful surrogate that should be used to help determine community/habitat distribution is the distribution of fishing effort. It is reasonable to assume that fishing activities are associated with those communities/habitats that support target species. Much information about the distribution of fishing activities is

currently available through the Australian Fisheries Management Authority (AFMA) and other fisheries management agencies with jurisdiction in the South-East region.

The systems of MPAs proposed by both Buxton et al. (2006) and DEH generally avoid most fishing activity. They do not appear to genuinely attempt to define a CAR system of MPAs in the South-East region based on biodiversity. Rather it appears that areas are defined with so that they avoid conflict with the fishing industry.

One notable exception to this apparent avoidance of fishing activity impacts is the way DEH has dealt with the scallop grounds off north east Tasmania. The DEH proposal would appear to make the Tasmanian scallop fishery non-viable just when it is recovering from a stock collapse that occurred as a result of overfishing during the 1980's.

As a member of both the Tasmanian Scallop Fishery Advisory Committee and the AFMA Scallop Management Advisory Committee, I can say that this aspect of the DEH proposal was particularly inept. I believe that better outcomes for both the fishery and biodiversity conservation could be achieved if fishery information and industry behaviour was properly taken into account.

There is a real need for a CAR system of MPAs in the South-East region of Australia's marine environment. MPAs should offer protection from both commercial and recreational fishing activities. These areas can assist fishery managers by acting as a baseline against which fishing impacts in similar areas can be assessed, so that fishery related impacts can be measured and better understood. They also offer insurance against mistakes made by fisheries managers.

A CAR system of MPAs in the South-East region of Australia will have vital impact on biodiversity conservation. Many fisheries in this area have a dismal record in both biodiversity and industry sustainability. For example, in recent years there have been significant fishery collapses in the orange roughy, scallop and southern shark fisheries. The southern shark fishery appears to be responsible for the decline in a number of non-target shark species caught as bycatch. Trawling for orange roughy can result in severe physical damage to benthic communities.

The South-East trawl fishery also appears to be creating serial depletion for itself as fishing effort is moved progressively along the coast. This fishery seems to be on the verge of economic collapse.

While it is always worthwhile designing MPAs to minimise impacts on fishing, an effective system of CAR MPAs must be expected to have some impact. This is because a truly representative system must include representative sections of fishing grounds, unless adequate areas of similar communities/habitats are found in areas that are not fished. This will not be possible in many instances.

The \$220 million provided for structural readjustment provides a good opportunity to assist commercial fisheries cope with MPAs that impact on their activities. Gradual implementation over a reasonable period of time could also be used to reduce short-term impacts on the fishing industry.

However, priority protection must be given to communities/habitats most vulnerable to human activities. Shallow water habitats and unfished areas that may be targeted by trawlers or other fishing sectors in the near future are examples. The extensive areas of deep water suggested for protection in both the DEH and Buxton et al. (2006) proposals have little value to industry so their protection is much less urgent.

The World Parks Congress in 2004 recommended that networks of marine parks should be extensive and include strictly protected areas that amount to at least 20-30% of each habitat. This should be the target for a Commonwealth system of CAR MPAs. Such a system should be based on science and a rational transparent process. The current DEH process, or the recommendations of the Buxton et al. (2006) report, will not result in such a system.

The waters off South-East Australia contain a rich array of marine life and spectacular underwater scenery that is the equal of anything found on the Great Barrier Reef. Current fishing practices threaten many aspects of this region's biodiversity. Biodiversity values should be protected in a National System of Representative Marine Protected areas, and the Commonwealth Government has already committed to implement such a system.

It is not good enough for DEH, or anyone else, just to draw lines on maps to define biodiversity MPAs without rigorous scientific justification. So far, the DEH process has not satisfied any major stakeholder and has not resulted in a comprehensive, adequate or representative system of MPAs in the South-East region. The Buxton et al. (2006) report simply outlines a system of MPAs that avoid impinging on commercial fisheries, and does not adequately address the need to protect biodiversity. The MPA process deserves better.

The current process of developing a CAR system of MPAs in the South-East has clearly failed and should be abandoned. A new process based on science and stakeholder input from both fishing sectors and conservation groups should be started as soon as possible.

Yours sincerely

Jon Bryan
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References

Buxton, C. D., Hadden, M., and Bradshaw, M. (2006) FRDC 2005/083 Final Report Regional Impact Assessment For The Marine Protected Areas Proposed For The South-East Region.

General Comments on the Proposed Candidate Marine Protected Areas, South East Region, February 2006 by the South-east Scientific Reference Panel to the Australian Government