



COMMERCIAL FISHING, PEARLING AND AQUACULTURE INDUSTRY SUBMISSION on the Draft Marine Bioregional Plan for the North Marine Region

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Contents

INTRODUCTION	3
THE VALUE OF COMMERCIAL FISHING IN NORTHERN AUSTRALIA.....	4
GOALS, SCOPE, AND OBJECTIVES OF THE NORTH BRMP	5
REGIONAL PRIORITIES, STRATEGIES, AND ACTIONS	5
EVALUATING AND REFINING THE NORTH BIOREGIONAL MARINE PLAN	8
ANALYSIS OF PRESSURES	9
REGIONAL ADVICE ON MATTERS OF NATIONAL ENVIRONMENTAL SIGNIFICANCE.	10

Introduction & Context

Australia's northern commercial fishing and pearling industry (fishing industry) is pleased to provide this submission in response to the Australian Government's draft Marine Bioregional Plan (the Plan) for the North Marine Region (NMR). As the primary supplier of high quality, sustainably caught seafood and marine products, the fishing industry, related businesses, and customers rely on a healthy and productive marine environment; and secure access to well managed fisheries and marine resources.

Our industry is committed to working with governments and other stakeholders to generate optimum outcomes for the fishing industry and the Australian community from the current commonwealth marine bioregional planning process. We suggest that these processes and their outcomes recognise the direct economic and broader social and cultural value of commercial fishing. They should also support its continued viability through appropriate regulations and policies; and management outcomes that underpin and strengthen, existing commercial fishing access rights.

Commercial fisheries in the North Marine Region (NMR) make a significant contribution to Australia's total seafood production. For example, Gross Value of Production (GVP)¹ for the Commonwealth's most valuable commercial fishery, the Northern Prawn Fishery, was estimated at \$88 million for the 2009-10 financial year.

For Queensland, the Gulf of Carpentaria Inshore Finfish Fishery (net sector) contributes high quality, high value seafood worth approximately \$12 million per year to local, regional and export markets; with other Queensland fisheries in the NMR contributing around \$4.5 million in direct value.

Larger Northern Territory managed fisheries include the Offshore Net and Line Fishery (ONLF) with a 2009 production value of approximately \$2.94 million per year, the Timor Reef Fishery (\$4.7 million) and Spanish Mackerel troll fishery (\$1.80 million). Total value of production for the affected NT fisheries was estimated at approximately \$35 million in 2009.

We note that these catch production values (i.e. GVP) under-represent both the overall economic value of our northern fisheries, and their broader socio-economic contribution. The valuations do not capture value adding activities, or the value arising from leverage through other fishing industry activities (e.g. onshore processing, repairs and maintenance, retail and restaurant sales). Up to 80% of the total value of wild catch seafood production is created post harvest, via processing and other value adding through the supply chain².

All Australian commercial fisheries are managed to meet Ecologically Sustainable Development (ESD) objectives and an ecosystem based approach to fisheries management. Complementary management objectives across all jurisdictions focus on ecologically sustainable harvests of target and commercially valuable species, and fishing practices that minimise the impacts of fishing on the environment, including bycatch. We also note that optimum utilisation of the catch, and maximising financial and other contributions to local and regional communities are also important objectives.

¹ Fishery production values sourced from ABARES 2010 Australian Fisheries Statistics. Values are based on sale price of catch ex-vessel and do not include downstream value adding.

² World Bank Report: The Sunken Billions: Economic justification for fisheries reform (2009). Available at <http://siteresources.worldbank.org/EXTARD/Resources/336681-1224775570533/SunkenBillionsFinal.pdf>

The fishing industry strongly endorses the need for a comprehensive and robust strategic planning and management framework for the North Marine Region. Regulatory certainty and rigorous and transparent processes to develop policies and regulations within this strategic framework are also critically important to the fishing industry. Such a framework will assist government in the development of evidence and risk based regulation and policy; and give the Minister a strong policy basis for sound and consistent decision making. Our comments and suggestions in relation to the draft Plan should be considered in this context.

The Value of Commercial Fishing in Northern Australia

The fishing industry has an increasingly important responsibility and unique status to contribute to Australia's future food security, providing sustainably sourced and high quality seafood for domestic consumption and for export.

The sector is also an important part of Australia's heritage and contemporary culture and should receive greater recognition and support within the government's bioregional marine planning framework. For example the Plan includes strategies to preserve physical heritage, including shipwrecks and historic places; it should also recognise the socio-economic contributions, heritage and cultural value of the fishing industry. The fishing industry also makes substantial contributions to marine science, stewardship (e.g. applying best practice, reporting illegal fishing, cleaning up discarded IUU fishing gear); and the region's environmental knowledge base. We note that the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) does provide for bioregional plans to make provisions for 'important economic and social values'³

Industry notes that the national roll-out of large scale marine reserve networks and the broader bioregional planning process is having very significant impacts on the commercial fishing industry nationally. These broader and cumulative social and economic impacts must be adequately understood and recognised. We are concerned that without this overarching understanding, governments and communities cannot balance the costs and benefits of these programs with other important objectives like regional development and food security. This situation also complicates the development of a whole of government regulatory and policy framework that promotes ecologically sustainable development.

In recognising the value and importance of the commercial fishing industry within the NMR, and promoting more cohesive policy and regulation to underpin resource management and access security; climate change adaptation strategies for the fishing industry also become important. Current climate change adaptation strategies recognise that less mobile, or poorly resourced communities, are most vulnerable to climate change effects. This suggests some of the smaller, more isolated rural and regional communities in the NMR are relatively vulnerable. The draft Plan refers to research and development (R&D) activities informing adaptation responses for species and ecological components. It should include R&D activities, and strategies to enable business and community climate change adaptation as well.

³ EPBC Act. S176(4)(b)

Goals, Scope, and Objectives of the North BRMP

The fishing industry supports the intent of the North BRMP and the premise that it is designed to strengthen the operation of the EPBC Act in the North Marine Region.

Ecologically sustainable development of fishery resources in the NMR and elsewhere is becoming an increasingly important priority. With very well managed fisheries, and an innovative and responsible fishing industry, we are well placed to manage the increasingly important challenges of future food production, and conserving the natural resource base that provides this sustainable seafood and other valuable marine products.

Stated objectives of the North marine bioregional plan (s1.3) are:

- conserving biodiversity and maintaining ecosystem health;
- ensuring the recovery and protection of threatened species; and
- Improving understanding of the region's biodiversity and ecosystems and the pressures they face.

The fishing industry suggests that securing our future food security, and the role of the fishing industry in contributing to this nationally, are equally important strategic objectives particularly given the Federal Government's policy development in this area. An objective, risk based approach to conservation and management of the region's natural resources is also fundamentally important.

We recognise that elements of all of these objectives exist in the draft NMR BRMP; however we also suggest these must be emphasised more clearly, and linked with the priorities, strategies and actions of the draft Plan.

Regional Priorities, Strategies, and Actions

In principle, the fishing industry supports most of the strategies and actions described under the Plan. However we do not consider the strategies adequately deal with all other industry sectors, and suggest the Plan's strategies and actions are unlikely to ensure these sectors manage their impacts appropriately. We note the fishing industry is the only sector required to not only understand their impacts, but to also address cumulative impacts. The fishing industry cannot support such an inconsistent approach when compared across various other industry sectors. We question whether the Plan's strategies and actions will mitigate the range of more serious pressures identified for the region.

Industry is also concerned that there may not be sufficient resources available to government to implement the strategies and actions detailed in the draft Plan; and a range of questions arise about implementation of various actions and strategies, for example:

- when are these actions likely to occur given little evidence of supporting resources;
- how will stakeholders be engaged; and
- how can the fishing industry be confident that the Plan will work effectively to help ensure that the region's marine environment remains healthy and resilient?

We note that the EPBC Act states that bioregional plans can provide '*mechanisms for community involvement in implementing the plan; measures for monitoring and reviewing the plan.*'⁴ However, the draft plan does not address these provisions.

Improving understanding of the region's biodiversity and ecosystems and the pressures they face is an important objective of the North BRMP. Strategy A seeks to address this: *Increase collaboration with relevant research organisations to inform and influence research priorities and to increase the uptake of research findings to inform management and administrative decision-making* (s3.2). We suggest that increased collaboration and engagement of the fishing industry and management agencies in this R&D extension and adoption context is also an important activity, and likely to drive improved marine conservation and management outcomes for the region.

The draft Plan includes the establishment of a marine reserve network (Strategy B) and sets out government statements that marine reserves are not established for fisheries management purposes. Notwithstanding, we note that the establishment of these marine reserves will have a substantial impact on industry's access to fisheries resources, marine lease sites, and on management arrangements within, and outside reserve zones.

Strategy D is focused on *increased collaboration with fisheries management agencies and the fishing industry to improve the understanding of fisheries impacts and address the cumulative effects of fisheries on the region's key ecological features and protected species.*

We note the action under Strategy D, to improve information quantifying bycatch from fisheries, including cumulative effects, and improvement of mitigation strategies. The fishing industry has made strong progress mitigating bycatch impacts in nearly all commercial fisheries in recent years, and remains committed to a range of bycatch related research and management initiatives. These results have been regularly published through independent research projects.

Unfortunately there is very little quantification of the impacts from non-regulated fishing sectors, or evidence of reduced mortality of listed or threatened species impacted by these other sectors and their activities (e.g. impacts of IUU fishing).

Similarly, issues like estimates of indigenous harvest of turtles and dugong; reducing turtle mortalities from terrestrial pest species (e.g. pigs, foxes preying on turtle eggs and hatchlings); understanding and managing impacts from increasing coverage and intensity of oil and gas exploration and extraction, and mining activities in the region, are likely to warrant significantly more management attention.

The high biodiversity of the northern marine environment is a recognised regional conservation priority (s2.1) and is due, in part, to the low number of natural barriers to dispersal of species at various life stages. This reinforces the need for strong management collaboration domestically and regionally (picked up in Strategy H, s3.2, of the Plan). However, there is very little detail about how these complex regional management issues, including pressures like IUU fishing, might be more actively addressed and how the success of these management activities might be evaluated?

For Strategy E: *Develop partnerships with relevant industries to increase understanding of the impacts of anthropogenic disturbance on the region's key ecological features and protected species*, the fishing

⁴ EPBC Act. S176 (4) (e), (f).

industry welcomes the prospect that other industry sectors be more closely engaged. This should enable a more accurate estimate of the risks their activities pose and the prospect of more active management of these risks by those industry sectors and government. We also consider that other industries should better understand and address their cumulative impacts.

We note that considerable R&D funding will be needed to understand, identify, manage and monitor impacts on various NMR conservation priorities; particularly given the large areas of some of the proposed government marine reserves in the region. We also see a role for government in promoting and funding research that underpins sustainable development of these resources, including fishing activities within multiple use and special purpose zones of the proposed northern marine reserves.

Strategy F in the draft Plan calls for *targeted collaborative programs to coordinate species recovery and environmental protection efforts across Australian Government and state agencies with responsibilities for the marine environment*. In principle, industry supports this approach to address the range of serious pressures influencing the conservation status of listed marine species (Figure 1). Pressures like climate change and ocean acidification, habitat modification, and large scale pollution events pose a substantial risk to some species and some fisheries; and are largely outside the scope of marine and fisheries management agencies.

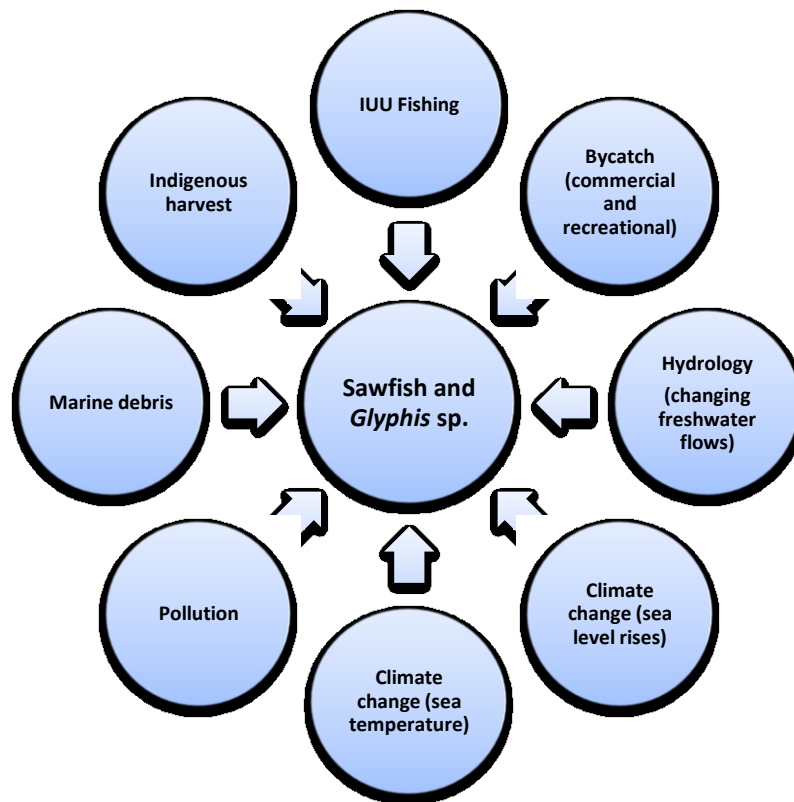


Figure 1: Cumulative pressures impacting Sawfish and *Glyphis* sp. in the NMR

The Sawfish and *Glyphis* species example above illustrates the importance of clear roles and responsibilities for government agencies; complementary management objectives across jurisdictions, and effective collaboration within and across these agencies. Developing and implementing a genuinely collaborative model in this context is a major challenge. There is little in the draft Plan to illustrate how this might be achieved.

Industry's submission to government in response to the proposed NMR marine reserve network makes the point that whilst such reserves clearly have potential to contribute to conservation and sustainable resource management, there is little evidence that this is occurring. Nor are there defined evaluation frameworks to determine the extent of any such benefits in the future.

Given this, and trends for establishing more marine reserves, and more integrated bioregional marine planning, we suggest a substantial research effort will be required. This should include the costs and benefits of the program to the commercial fishing industry. It will be increasingly important to balance these conservation and management initiatives with the need to increase sustainable seafood production into the future; and to support the R&D activities that can help to enable this objective.

Evaluating and refining the North Bioregional Marine Plan

Whilst recognising that the Plan is a high level strategic conservation and management framework, we suggest it would benefit from a more structured approach to monitoring and evaluation; including measuring the effectiveness of the various strategies and actions.

More transparency about the time period for which the Plan applies; and when and how it might be updated to reflect evaluation outcomes, or changing risk profiles from particular activities, may also be appropriate. The role of key stakeholders, such as the fishing industry, in these processes and how stakeholders will be engaged are also important issues. For example a more defined and participative approach to these processes has potential to:

- Improve the relevance and practicability of actions and strategies under the Plan;
- Increase efficiency and effectiveness for the BRMP;
- identify policy or program areas in need of improved performance;
- Be more proactive in identifying emerging issues or risks;
- Provide opportunities for diverse views to be heard; and
- Improving stakeholders' sense of responsibility for problems and solutions.

Evidence and risk based policy development and management should be key features of the Plan; as should an adaptive approach. The fishing industry has demonstrated a strong ability to mitigate the broader impacts of fishing and aquaculture on the environment, and many contemporary fisheries harvest strategies use an adaptive approach for both effectiveness and efficiency.

Noting that the majority of pressures on NMR conservation values outlined in the Plan are external to the fishing industry, a more defined approach to understanding and managing these non-fishing risks can help to underpin the health and resilience of fish stocks and inter-dependent ecosystems. For pressures related to fishing, that are subsequently mitigated, and no longer "of concern" we suggest the Plan be sufficiently flexible to ensure that limited resources can be quickly re-oriented to other pressures.

Analysis of Pressures

Schedule 1 of the draft Plan refers to the assessment of pressures affecting NMR conservation values. Pressures are rated as: *of concern*; *of potential concern*; *of less concern*; and *not of concern*. A pressure is *of concern* when:

- there is evidence that it interacts with the conservation value within the region and there are reasonable grounds to expect that it may result in a substantial impact, and
- there are no management measures in place to mitigate the impact(s), or there is inadequate or inconclusive evidence of the effectiveness of management measures within the region (Schedule 1, s1.1).

Industry notes that northern commercial fisheries are generally well managed against agreed national ESD criteria - including the ESD objectives that are a key part of the EPBC Act. For most commercial fisheries in the NMR there is a body of knowledge describing ecological impacts of the fishery, the various mitigation strategies in place, and in many cases (e.g. the NPF) the effectiveness of these various activities. There is often an R&D program targeted to further reducing broader environmental impacts.

Both in terms of the management measures that are in place to mitigate environmental effects of fishing; and in terms of the evidence to evaluate the performance of these management and bycatch mitigation strategies, the fishing industry is very well placed compared to most other industries and sectors. A more defined narrative around these issues in the draft Plan will reduce the likelihood of fishing impacts being misinterpreted, and appropriately recognise the extensive work and investment by fishers, fisheries managers, and researchers over the last decade that has resulted in a dramatically reduced risk profile from commercial fishing and aquaculture. Much of this work (e.g. targeted independent observer programs, large scale bycatch reduction programs, large scale catch and effort reductions; and ongoing bycatch mitigation via gear technology innovations and operational trials) has occurred in the last 5 or so years.

This recent progress is not well represented in the draft Plan. Much of the information used to support pressure analysis in relation to commercial fishing (see s1.2) appears dated. In a number of cases (e.g. Table s1.6 - dugong fishery bycatch p.57; and sea-snake bycatch impacts, p.58, p.63), the information is up to ten years old. Since then the operational and regulatory structures for these fisheries and bycatch impacts have changed significantly. For example gear trials of the Popeye fish-box bycatch reduction device for the NPF demonstrated a 48% reduction in the weight of small bycatch, an impressive 87% reduction in the number of sea-snakes captured; and a 35% reduction in the number of sharks and rays captured (with no statistical differences in prawn catch between vessels fishing with/without the BRD).⁵

The recent performance of mitigation strategies should be reflected in any pressure (or risk) analysis; and these analyses updated regularly as bycatch reduction strategies develop and improve. Inaccurate representation of fishing risks is a very important issue for the fishing industry. Poor public perceptions

⁵ Raudzens, E.E. (2007). *At sea testing of The Popeye Fishbox bycatch reduction device onboard the FV Adelaide Pearl for approval in Australia's Northern Prawn Fishery*. Available at <http://www.afma.gov.au/wp-content/uploads/2010/07/popeyebdreport.pdf>

about fishing sustainability can drive market preferences, affect customer demand for product, and contribute to unnecessarily restrictive management decisions.

We note that various fisheries are cited as *of concern* and *of potential concern* to a large range of species and ecological features in the draft Plan. By way of comparison, industry strongly suggest that the pressures (or risks) imposed by the current (and increasing) oil & gas industry presence across the region is both underestimated and understated. Although the incidence of oil spills (referred to as chemical pollution/contaminants in the pressure analysis) is assessed as low, the consequences of a major spill are very high. With risk estimates based on the combination of likelihood and consequence, these activities are inherently high risk. That is not to say that energy security is not an important national priority, rather that all risks in the region should be accurately estimated and portrayed, regardless of the broader value of the activity.

We suggest these risks warrant more focused attention from government. They have the potential to significantly impact marine ecosystem productivity and diversity, and the resilience of these systems. For example the August 2009 oil spill from the Montara oil rig, approximately 700km west of Darwin, has been described as one of Australia's worst ever oil spills⁶ and had major environmental impacts, particularly in Indonesian waters adjacent to the NMR. We note that many of the species of concern in the region (e.g. listed, TEP, migratory) are wide ranging and that ecological "mixing" is a feature of the region.

In addition to direct and potentially large oil spills from marine drilling activities, accidental discharges of various pollutants (not only oil) regularly occur despite the stated regulatory controls. For example, the Australian Petroleum Production and Exploration Association (APPEA) report *Health, Safety, Environment and Social Performance Report 2007 and 2008* notes that for that 2 year period alone there were 52 offshore reportable incidents and over 10,000 tonnes of various substances (including diesel, hydraulic fluid, chemicals) accidentally discharged into the environment⁷. The APPEA report does not address the environmental/ecological impact of these incidents; and they are not given any real prominence in the NMR pressures analysis.

Regional Advice on Matters of National Environmental Significance.

Industry supports the intent of Schedule 2 to the draft Plan in supporting Ministerial decision making under the EPBC Act for activities likely to impact matters of national environmental significance. We also note the advice that, generally, most actions in or adjacent to the NMR are unlikely to impact adversely on the structure and function of Key Ecological Features (KEFs) identified throughout the region. Importantly, managed Australian commercial fishing is not cited as an actual or potential pressure likely to adversely impact structure and function of any of the KEFs identified for the NMR (recognising that possible benthic impacts, at a scale that alters habitat or community structure, is mentioned for this KEF).

⁶ ABC News Online posted Mon Aug 24, 2009 - WA oil spill one of Australia's worst. Available at <http://www.webcitation.org/5l3RrgF24>

⁷ Note: environment includes both onshore and offshore. Report figures do not break down onshore and offshore for accidental discharges. 215 reportable onshore incidents for same period –noting that of the 97 incidences that occurred on onshore production and processing facilities, 96 were either negligible/near miss or low impact.