

Surfrider Foundation Margaret River Branch submission on draft Commonwealth Marine Reserve Management plans.

10/9/17

Attention: Director of National Parks, Environment Minister Frydenberg, Assistant Minister for Agriculture and Water Resources Ruston

Thank you for the opportunity to provide comment on draft management plans for Commonwealth marine reserves.

Surfrider Foundation Margaret River is a very strongly supported branch of our national organisation dedicated to the enjoyment and protection of oceans, waves and beaches. Our members represent a broad range of ocean users including boardriders, recreational fishermen, the diving community, marine scientists and ecotourism operators. We, like the broader community, believe marine parks are an important mechanism in managing ocean ecology and protecting biodiversity from the beaches to the seas. We are an active, local group that has had a long history of involvement in stakeholder discussions and the community consultation process relating to the development and creation of the Commonwealth marine reserve network.

In forming this submission we have consulted local community members, academic experts and fishers, as well as the extensive research resources available as a result of nearly 20 years of Marine Park planning in the region. This includes State waters marine park planning, the initial establishment of management plans for the south west marine region in 2012, and the subsequent Abbott government Expert Scientific Panel and Bioregional Advisory Panel review. Our submission has particular reference to Commonwealth marine parks in the Southwest of Western Australia, notably the Southwest Corner and Geographe reserves.

Strong community support for sanctuary protection

Our southwest communities have long supported the establishment of highly protected marine parks in the southwest of WA. Extensive community awareness of the need for marine park protection goes back as far as the early 2000s, and led to the extensive consultation process underpinning the development of the Ngari Capes marine park in State waters. We are an ocean-loving community, and as surfers, fishers, divers and beach lovers the communities of the southwest have a connection to our marine environment that is strong and enduring. For many of us, the beauty, abundance and diversity of our marine environment is a major part of why we live in this region.

It is our view that proposals to weaken the marine park protection of our coast could only come about from short-term thinking that is not based on genuine engagement with and respect for the mandate of the local southwest community; and must relate to passing political issues that – if they are real at all – relate to eastern States thinking, and will not stand the test of time or provide certainty for stakeholders.

A large proportion of our community are recreational fishers³, including many/most of our membership. We fish for fun, for relaxation, for family time, and for food. We know that fish stocks have declined considerably along our coast over the course of a generation, and all the while best-practice (at the time) fisheries management regulation has been in place. It is clear that best practice conservation management is also required to keep our marine environment healthy and abundant.

For those reasons, it is unsurprising that locals, recreational fishers and small businesses in our region have overwhelmingly supported sanctuary zones going back a decade, and continue to do so. The following evidence clearly demonstrates that our view is the centrist, mainstream community position on this issue:

- 88% of 233 recreational fishers surveyed in southwest WA in 2005 gave in principle support to the establishment of sanctuaries in western Australia¹.
- 72% of 602 southwest residents polled in 2011 thought that reserving 30% of the WA coast in sanctuaries was acceptable².
- ~70% of 401 local and non-local fishers surveyed in southwest WA in 2014 supported the creation of a local marine (Ngari Capes marine park)³.
- 200 small businesses in the southwest in 2015 signed on to a statement supporting Commonwealth sanctuaries⁴.
- A PhD research project surveying recreational fishers at boat ramps **this year** (2017) in southwest WA found that 78% were supportive or neutral towards a new marine park with sanctuaries being established off the southwest coast⁵.
- *In contrast*: there are, to our knowledge, no studies or empirical evidence cited by Federal governments (or recreational fishing interest groups) at any

¹ Prior, S.P and Beckley, L.E. (2007) Characteristics of recreational anglers in the Blackwood Estuary, a popular tourist destination in southwestern Australia, *Tourism in Marine Environments*, Vol. 4, Number 1, pp. 15-28

² http://www.saveourmarinelife.org.au/wp-content/uploads/2014/07/pmr_attitudes_to_marine_sanctuaries_final_report.pdf

³ Hastings, A. and Ryan, K.L. (2017) Differences in perception of a newly created Marine Park in southwest Western Australia by boat-based recreational fishers and the broader community, *Marine Policy* vol.77, pp 65-77

⁴ Save our marine life (2015) South west business statement for sanctuaries.

⁵ University of Western Australia (2017), in press.

stage of this process, demonstrating a genuine and widely held concern across the mainstream of the southwest WA community regarding the establishment of sanctuaries in our waters.

It is clear that the support for sanctuaries in our region comes from throughout the community, is long-established and is overwhelming. Any move to reduce the already very low sanctuary protection in reserves such as Geographe would be an extreme and radical step, that could not be based on a real mandate from the southwest community. For context, only 4% of the Geographe reserve would be MNP zone/sanctuary; relative to other marine parks in WA – well known to have strong community support and scant negative socioeconomic impacts - which offer much higher protection levels, from 16% (Rottnest, Abrolhos Islands) to 33% (Ningaloo reef, regarded as scientific best practice) sanctuary zones.

Scientific underpinning for sanctuary protection

For an extensive analysis science underpinning the merit of marine sanctuaries, one need look no further than the Abbott Government's Expert Science Panel report, which elaborates on the policy underpinnings and effectiveness of the comprehensive, adequate and representative approach to establishing Marine Protected Areas. It is indisputable that no-take zones deliver the most effective conservation benefits within an MPA network⁶, and that they deliver them for little additional social, economic or management cost.

However, we are disappointed to learn through public statements from government that an approach has been taken to these draft management plans that has neither the underpinnings, the credibility or the ability to deliver lasting, effective marine management outcomes. This approach seems to suggest that a perceived high standard of fisheries management means that a high standard of marine conservation management is not required or important. It also seems to misconstrue and elevate the merits of partial protection, citing recent science by the likes of Sciberras et al.⁷ and Ban et al.⁸ as demonstrating that partial protection, such

⁶ Edgar, G. J., Stuart-Smith, R. D., Willis, T. J., Kininmonth, S., Baker, S. C., Banks, S., Barrett, N. S., Becerro, M. A., Bernard, A. T. F., Berkhout, J., Buxton, C. D., Campbell, S. J., Cooper, A. T., Davey, M., Edgar, S. C., Försterra, G., Galván, D. E., Irigoyen, A. J., Kushner, D. J., Moura, R., Parnell, P. E., Shears, N. T., Soler, G., Strain, E. M. A., and Thomson, R. J. (2014). Global conservation outcomes depend on marine protected areas with five key features. *Nature* 506, 216–220.

⁷ Sciberras, M., Jenkins, S. R., Mant, R., Kaiser, M. J., Hawkins, S. J., and Pullin, A. S. (2015). Evaluating the relative conservation value of fully and partially protected marine areas. *Fish and Fisheries* 16, 58–77.

⁸ Ban, N. C., McDougall, C., Beck, M., Salomon, A. K., and Cripps, K. (2014a). Applying empirical estimates of marine protected area effectiveness to assess conservation plans in British Columbia, Canada. *Biological Conservation* 180, 134–148.

as the HPZ recommended in the Geographe reserve and the Diamantina fracture zone is 'almost as good as' no-take protection for meeting conservation objectives; when in fact this research demonstrates that partial protection falls well short, but creates almost identical management costs.

Similarly, statements by government⁹ that protecting the seafloor but not the water column from fishing in HPZ delivers enhanced environmental outcomes. For the vast majority of the area of HPZ in the draft marine reserve network, such as that over the Diamantina Fracture zone in the Southwest Corner reserve.

The extensive use of HPZ is lauded as an effective replacement for no-take MNPZ in the draft management plans and supporting statements; yet the fact that the vast bulk of this zoning designation allows all extractive activities that could possibly occur, given that this area is too deep for bottom fishing methods to operate, means that most HPZ achieves no additional protection relative to no-reserve status, but will require much of the management cost of no-take protection.

This approach is not in line with the proud history of Liberal government marine environmental management that, and neither is it supported by science.

A parallel example of the failure in the long term of such an approach can be found in the terrestrial protected areas in our region. Our southwest region features a large area of land that is managed sustainably and regarded highly for agriculture or horticulture. Our region also features the extensive Leeuwin-Naturaliste National Park, established a generation ago right along our coast; that prohibits many of these and other activities in the interests of conserving biodiversity and social and economic values around nature appreciation. Certain economic opportunities (i.e. property development, expansion of agriculture) that may well have operated under best-practice have been foregone. Others have been created, maintained, and given certainty. The critical factor is that with hindsight, we are not aware that anyone has lamented, with any sort of mainstream community support, in recent history, the opportunities foregone by our not choosing to sustainably farm or develop every possible hectare of the Leeuwin-Naturaliste National Park. It would be considered an extreme and radical thing to do.

Geographe Reserve – specific issues and recommendations

a) Implement Marine reserve review (2015) zoning plan for Geographe reserve

⁹ <http://www.abc.net.au/news/rural/2017-07-21/8731850>

The replacement of MNP zone with HPZ in the Geographe reserve is erroneous and inexplicable for a range of reasons. The years of science and consultation underpinning the 2012 zoning plan, as well as the subsequent Coalition government review, both recommended the implementation of two small MNP zones taking up only ~4% of the Geographe reserve. These two zones are in our view some of the most important in the entire Commonwealth marine park network, as they are close to shore, in depths that facilitate non-extractive recreational access, in relatively sheltered and safe waters, in reasonable proximity to substantial population centres (so can serve as a scientific/socio-economic testing ground for whether Commonwealth MNP zones are compatible with humans, potentially informing what has been key challenge for marine park planning nationally) and complement the functionality of an already established State Waters marine park; which the zones adjoin.

The reviews zoning recommendation, whose recommended zoning reconfiguration is a slight but meaningful improvement on the 2012 zoning plan for Geographe Bay, as the MNP zones are more easily navigated by fishers.

If the proposed change from MNPZ to HPZ were more than what seems (for lack of a more obvious justification) a lazy downgrade in protection following a misdirected political imperative; then HPZ (or a zone that conferred more genuine benefit to recreational fishers) would be used in a different area of the reserve. The MNP zones were sited in the bay to be as far away as possible from the most popular recreational fishing locations in the habitats represented in the reserve, off the back of years of consultation for both Commonwealth and State marine park planning (they adjoin already-gazetted State marine park zones). If a zoning, such as HPZ (which fails to deliver meaningful exclusivity to recreational fishers for finfish, as commercial wetline fishing would continue, and recreational lobster potting would be restricted) was placed in the reserve to *benefit* recreational fishing, beyond the strong support already described for sanctuary/MNP zoning among local recreational fishers, then it would be placed somewhere else: as near as possible to the most popular boat ramps. As these HPZ zones fail to offer any additional protection from commercial fishing (that realistically occurs in the area) beyond the surrounding Multiple use zone, they introduce additional management complexity and cost for no real gain.

There is an opportunity to retain the MNP zones but add HPZ (or 'recreational use zone IUCN IV' as per the Ningaloo Commonwealth reserve) in adjacent waters or as near as possible to popular boat ramps, which would allow a meaningful comparison of the merits of both zones – an opportunity negated by the current draft plan.

The habitats of the MNP zones as declared in 2012 and recommended in 2015 are not 'merely' seagrass, and HPZ fails to provide adequate protection for the

communities, including heavily exploited crustacean and demersal finfish species, the area supports. We support the views of leading WA marine scientists in their submission to the Abbott government review:

“The proposed National Parks are well-placed and small, capturing diverse benthos that is well-represented outside of the park zones, while minimizing impact on other stakeholders. Luckily, the western marine park has been well-surveyed by the NHT2, Securing WA Marine Futures. Methods such as sidescan sonar, towed and drop video, baited video and research trawls all point to the western park being a vignette of the region, but also containing a diversity of habitats and species. Any change in these parks should be limited to moving the boundaries, but their area should remain as is”¹⁰.

These waters include parts of the four-mile reef, which community elders describe as once having abundant and diverse demersal fish populations, but which is now heavily locally depleted.

For the social reasons described above, it is clear that there is no sound socioeconomic underpinning to moves to reduce protection from MNP zone to Habitat Protection Zone (IUCN IV, hereafter referred to as HPZ) in southwest Commonwealth marine parks, and that doing so would be a radical and extreme policy measure, that will not deliver lasting stakeholder certainty, community ownership, or economic opportunity for our region. We consider this would be an anachronistic departure from what has been a proud legacy of Liberal and Coalition governments in delivering policy that protects the marine environment.

The bioregional advisory panel report’s ‘areas of contention’ for the Geographe reserve refers only to ‘several’ submissions indicating opposition from recreational fishers to the MNP zones. This is clearly not a groundswell of concern, and may reflect the fact that there are very few people in our community upset at all by the 2012 plans, let alone enough to engage with the review. A far more important (and widely supported) issue for recreational fishers and the broader community has been gaining protection from trawling, gillnetting and oil development for this special area, which the Marine reserve review and current draft plans confer.

Any assertion that reducing sanctuary protection from 4% to 0% represents a ‘balanced’ outcome is both spurious and unlikely to achieve lasting community satisfaction. The decision has clearly not considered the lack of socioeconomic impact of sanctuaries in other marine parks, either around major capital cities¹¹, or in regional WA. Geographe Bay is indeed an iconic WA fishing destination, on a par

¹⁰ School of Plant Biology and Oceans Institute, University of WA, submission to Commonwealth marine reserve review (pers. Comm.)

¹¹ <http://www.publish.csiro.au/MF/justaccepted/MF16400>

with areas like Rottneest, the Abrolhos, Shark Bay, Ningaloo Reef, the Montebello islands and Rowley Shoals; all of which have proportionally much higher marine park area off limits to recreational fishing, and have done for many years. Furthermore, these areas' considerable appeal for great recreational tourism and fishing experiences (thousands of southwest locals travel to these places each year to holiday and fish) and associated economic opportunities are demonstrably undiminished as a result.

b) Maintain the Multiple Use and Special Purpose Zone (mining exclusion) in the Geographe reserve

Current government and departmental officials may not be aware, because they have had so little, if any, genuine engagement with local communities relative to earlier stages in the process, that historical habitat and fish stock impacts caused by bottom trawling and demersal gillnetting have by far been the most controversial fishery and environmental issues in Geographe Bay over recent decades. While east coast based recreational fishing interest groups (with even less connection to or understanding of local communities) have focussed on creating the impression that 4% MNPZ in Geographe Bay would mean fishing was banned altogether, gillnetting and trawling have been a sustained source of controversy for local recreational fishers and ocean lovers. Every zoning proposal that prohibited these activities has been warmly welcomed.

Surfrider Foundation Margaret River branch has been a leader in a campaign to protect our coast from deep-sea oil exploration since the late 00's¹², which is universally opposed within our community. We continue strongly support zoning that protects our coast from oil development, and recommend expanding such zone's (from the Geographe reserve to the Southwest corner reserve) outer boundaries to fully encompass the Mentelle Basin.

Southwest corner reserve – specific issues and recommendations

a) Retain sanctuary protection

It is imperative that MNP zone, particularly on the inner and outer shelf off Cape Naturaliste, south of Cape Mentelle, and off the Donnelly Banks is retained, as recommended by the 2012 plan and the 2015 Marine reserve review. These zones are overwhelmingly supported by southwest communities, and include the most important transect from the shoreline (as the zone south of Cape Mentelle adjoins a State Waters sanctuary zone) to the outer shelf in Western Australia. Any move to reduce protection in this reserve would sorely misunderstand the community mandate and the scientific and economic opportunities available along our coast.

¹² <http://www.abc.net.au/news/2010-05-31/protestors-say-no-to-oil-development/847498>

b) Expand oil development protection

As discussed earlier, Special Purpose Zone (mining exclusion) should be expanded throughout all areas of prospectivity within the reserve, including the entire Mentelle Basin.

c) Replace offshore HPZ with MNPz in Diamantina Fracture Zone

To our recollection, tuna longline operators have been signalling since 2010 that they require access to this area due to 'prospectivity'. The simple fact is that economic conditions for operating an Australia tuna longline fishery distant from port (high market prices for catch, low fuel and labour costs) are unlikely to ever be better than they have in the years since then, and yet not a hook has been set in the region, and the whole fishery has only caught a small portion of it's TACC (440 out of an allowed 10,125t in 2015, with only 2 vessels fishing). There can be no argument that this fishery is foreseeably likely to be limited by spatial access. The future of tuna longline fisheries is to fish efficiently on abundant stocks as close as possible to port.

The Diamantina Fracture zone is an area that, were it on land, would be acclaimed as incredibly special. It deserves better protection.