



NSW Marine Estate Management Authority
NSW Department of Primary Industries
Locked Bag 1
Nelson Bay NSW 2315

14 December, 2017

RE: Submission into the Draft Marine Estate Management Strategy 2018-2028

To the Marine Estate Management Authority,

The Nature Conservation Council NSW (NCC) The Australian Marine Conservation Society (AMCS) and The National Parks Association (NPA) welcome the opportunity to contribute to the NSW Marine Estate Management Strategy (the strategy).

NCC is the peak environment organisation in NSW, representing over 150 community member groups with a combined support base of over 60,000 people across the state. AMCS is the national peak body for marine conservation in Australia representing nearly 400,000 supporters. The NPA is a community-based organisation with over 20,000 supporters from rural, remote and urban areas across the state. The NPA promotes nature conservation and evidence-based natural resource management.

Our organisations have been at the forefront of advocacy for the marine environment collectively for over 180 years and want our ocean estuaries, bays and harbour to be clean and healthy and filled with diverse and abundant marine life. We are confident we share this view with the NSW public and coastal stakeholder groups, who are seeking the same outcome from this strategy.

We welcome the Government's commitment to enhancing marine biodiversity for the NSW marine estate. NSW residents are coastal people - we love the beach, are proud of our Harbour, and love to get out on the water boating, swimming, surfing, diving and fishing. Our amazing ocean back yard is central to our lifestyle. In the Sydney region our coastal waters are our pride and joy, and our greatest natural asset.

Our Harbour, beaches and bays in the Sydney region also contribute hugely to our economy. Over 13 million visitors travel from across the world or interstate to experience it, contributing over \$11 billion to the NSW economy each year.¹ It is globally unique to have a big city so connected to the coast, with relatively healthy waters with wild and natural places. With so

much at stake it is crucial to protect our beautiful blue backyard.

We acknowledge the enormous amount of work that has gone into the NSW marine estate management process over the last six years and welcome the holistic strategy that has been drafted by the Marine Estate Management Authority which is linked in with the many NSW government reforms processes currently underway.

Overall we support the objective of better management of the marine estate. We generally support the full suite of management initiatives outlined in the draft strategy and believe that these should be seen as a package and not as individual options.

Recommendations:

While we generally support all of the initiatives outlined in the Government's Draft Marine Estate Management Strategy, the creation of a large-scale multi-use marine park, with adequate sanctuary zones, designed to meet CAR principles, for the Central Region is the most important initiative for biodiversity conservation, risk management and mitigating user conflict.

We seek a commitment from the Government for the creation of a large scale multi-use marine park for the Central bioregion by the end of 2018. Following a commitment for a marine park, a detailed scientific and community process would be required to design and implement the park.

Our organisations have long advocated for the creation of a large scale, multi-use marine park for the Central marine bioregion with a network of sanctuary zones that are comprehensive, adequate and representative. Marine parks are an essential initiative for biodiversity conservation and ecosystem health. Without this central initiative the other initiatives will be less effective at reducing the identified risks.

The final NSW marine estate TARA and the draft strategy for the marine estate has identified that the Central region is the most impacted as it has the highest population level and is also the area with the least amount of protection. As such this submission will focus on the case for the creation of a marine park for the Central region.

We have thriving marine parks to our north and south, but none around Sydney.

The NSW marine parks around Jervis Bay, Port Stephens, and Cape Byron are highly valued destinations for all types of ocean users with flourishing tourism and recreational fishing opportunities. This is a wonderful opportunity to do the same for Sydney to protect the unique marine environment of the Central bioregion and celebrate the coastal lifestyle that is so important to the people who call this part of the NSW coast home.

Spatial Management in the Central Region

Background

The need for a marine park for the Central region has been identified and supported in numerous previous assessments and reports conducted by both Coalition and Labor Governments. The NSW government introduced the Marine Parks Act in 1997 to meet commitments made by federal and state Governments to establish a National Representative System of Marine Protected Areas (NRSMPA). Since then six marine parks have been established across NSW on the basis of the internationally accepted conservation planning principles of comprehensiveness, adequacy and representativeness.

The Broadscale Biodiversity Assessment of the Hawkesbury Shelf Marine Bioregion - published in 2005² identified areas of important biodiversity values to inform considerations for the selection of marine protected areas within the bioregion. Currently the Hawkesbury Bioregion is the only bioregion wholly located within NSW that does not have a CAR marine park in place.

In 2011 the Coalition committed to undertake an independent scientific audit of marine parks (the audit) to ensure the scientific foundations of the NSW Government's Marine Parks policy are rigorous, transparent and publically available. The audit demonstrated that the Hawkesbury bioregion had the highest population density, the lowest level of marine protection and the highest number of threats. The 2012 audit report³ recommended "the current system of marine parks in NSW be maintained and mechanisms be found to extend protections to the Hawkesbury Bioregion".

It is highly disappointing that spatial management, as one of a very small number of proven methods for marine ecosystem restoration and protection, has been diluted significantly in the draft strategy compared with the discussion paper⁵ that came before and the 2012 audit paper³ that recommended further protections in the central region. Spatial management has not been listed as an initiative in its own right and has been reduced down to the level of potential actions for investigation within initiatives. The number one recommendation from the world parks congress meeting in 2014 was to urgently increase the ocean area that is protected with a well-connected system of marine protected areas (sanctuary zones) which should include at least 30% of each marine habitat.⁴

The government has previously identified fifteen priority threats that represent HIGH and MODERATE risks to the environmental assets of the Hawkesbury Bioregion. Eleven of these threats were also recognised to be increasing. The discussion paper⁵ recognises the existing aquatic reserves within the Hawkesbury Bioregion fail to meet internationally recognised conservation planning principles of *comprehensiveness, adequacy and representativeness* (CAR). It also recognises that the existing protected areas represent only around 1% of the NSW waters within Hawkesbury Bioregion. Those areas that are sanctuary zones represent just more than 0.1% of NSW waters in the Hawkesbury Bioregion. This compares to marine sanctuaries in the existing marine parks in NSW which make up between 12% (Solitary Islands) and 27.5% (Cape Byron) Despite this, years later the draft strategy identifies the same issues and still nothing has been done on the ground and nothing concrete is proposed within the draft strategy to address this. The central region is falling well below internationally

recommended protection levels to ensure the ongoing future of the marine and coastal flora and fauna of this bioregion.

The case for a Sydney marine park

Help protect our marine life - like the weedy seadragon and blue groper - and ensure we have fish for the future. A multi-use marine park will ensure all users can continue to enjoy Sydney's wonderful coastal lifestyle in their own way. Further enhance the iconic value of Sydney's marine environment for local businesses and as a major drawcard for national and international tourism.

A marine park would not need to impede existing commercial activities within the harbour. Marine parks with a network of fully protected marine sanctuaries exist adjacent to major cities and ports at Brisbane (Moreton Bay Marine Park) and Melbourne (Port Phillip Heads Marine National Park).

Recreational fishing thrives inside existing NSW marine parks where between 73 and 88 percent the marine park area is available for recreational fishing. A marine park for Sydney will allow for recreational fishing havens such as Sydney Harbour to be managed well into the future ensuring good fishing for the next generations.

Marine Parks and risk management

Spatial management (including creation of marine parks) for biodiversity conservation and use sharing has the potential to address more of the risks identified by the TARA risks as HIGH and MODERATE and also all of the cumulative threats identified such as climate change, multiple threats to fish assemblages, multiple threats to wildlife and cultural heritage including Aboriginal and non aboriginal heritage values and water quality than any of the other individual initiatives. However we note that the benefits of spatial management would be significantly reduced if anything less than a large-scale multi-use marine park with adequate sanctuary zones was established.

As recognised in the Hawkesbury Shelf discussion paper⁵ only spatial management provides any mitigation value against climate change which is a threat that poses one of the greatest risks to the assets and benefits provided by the marine estate. This is consistent with scientific understanding of the value of marine parks for increasing the resilience of marine environment to minimise the impacts of bleaching, ocean acidification, sea temperature and sea level rising and significant storm events, but also the capacity to recover from these disturbances. In 2016 scientists reported the first identified temperate coral bleaching within Sydney Harbour.⁶ A marine park has the greatest ability to build resilience in the marine environment to minimise the impacts of climate change.

Our organisations are concerned that given the large number of risk ratings which are based on limited data there is a need for a management response that is based on the precautionary principle. This is consistent with the objects of the Marine Estate Management Act. A large-scale multi-use CAR marine park with marine sanctuaries provides the best precautionary response for biodiversity conservation and risk management.

Scientific support for marine parks

There is strong scientific support for a marine park for the central region. In 2010 the Ocean Science Council of Australia (OSCA) and Australian Marine Science Association (AMSA) along with 152 scientists signed a letter to leaders supporting marine protected areas and calling for 10% of all state and federal oceans and coastal seas to be fully protected in sanctuary zones.

*“Australia has committed, through international agreements, to ‘effectively protect’ at least 10% of its oceans and coastal seas. The Australian Marine Science Association has called for Australian governments to protect at least 10% of State and Commonwealth marine waters in no-take (sanctuary) zones, with rare or vulnerable ecosystems protected at higher levels”.*⁷

A 2015 survey of marine life on rocky reefs around Sydney⁸ showed that partially protected aquatic reserves are not sufficient to protect fish life. The survey found that aquatic reserves with only partial protection were no better than unprotected areas in terms of both the number of fish species and number of large fish (sized 25cm or more). “Fully protected no-take zones, like the Cabbage Tree Bay Aquatic Reserve, had greater abundance and diversity of large fish”.

Community support for existing marine parks

There is strong public support for marine parks and sanctuaries. The six existing marine parks in NSW are holiday hotspots, including for recreational fishing. Surveys in areas with existing marine parks has shown that more than 80% of people, including those who fish, support local marine parks and sanctuaries. In 2008 government commissioned polling from the Solitary Islands Marine Park¹⁰ found 82% of resident recreational fishers supported the marine park. In the Jervis Bay Marine Park 82% of recreational fishers support the sanctuary zones in the marine park.¹¹ 2014 polling of over 1000 residents of NSW found that 93% of people support marine sanctuaries and amongst recreational fishers that support is 91%.⁹

The Narooma Chamber of Commerce and Tourism proudly boasts on its website that since the introduction of the Batemans Marine Park “those who regularly fish in the area have supported bigger and more plentiful catches”.¹²

The Marine Estate Management Strategy is an opportunity to fill the gap in the NSW marine park network and put in place the important protection required to ensure the marine environment of the central region can continue to be enjoyed by all users and we conserve the unique marine life that call this region home.

Community support for a Sydney Marine Park

During the 2016 submission process in to the Hawkesbury Shelf discussion paper there were 2,933 entries and submissions that could be identified as directly addressing the spatial management initiative. Most of the submissions received were specifically in response to this initiative and it received the largest campaign-style reaction. While the submissions and entries can be broadly categorised as either supporting or opposing the implementation of marine parks, the majority were supportive of Initiative number 4: spatial management. Of those that supported marine parks, there was overwhelming support for a marine park. Over 2,000 people, mostly individuals who did not identify as a member of a group or organisation, supported the introduction of a multi-use marine park in Sydney.¹³

Business case for marine parks

It is noted in the draft strategy the emphasis on how much revenue and how many jobs the recreational and commercial fishing industries generate in NSW, It is surprising a similar costing has not been conducted for the strategy on the diving industry.

It is important to note that the diving industry along with other passive recreation tourism operators, rely on the health and abundance of fish stocks and habitat to support marine life. The NSW diving industry directly contributes \$513m and indirectly contributes a further \$969m annually to the NSW economy.¹⁴

A Sydney Marine Park, like marine parks across the NSW coast, would further highlight the iconic status of the Region's environment and serve to boost tourism potential. Council and tourism bodies across NSW actively promote local marine parks and they feature heavily in tourism advertising.

A study in 2015 of the economic value of Sydney Harbour¹⁵ recognised that tourism already presented the highest revenue relating to harbour use. There is the potential for this value to be expanded within the rest of the Central bioregion through declaration of a marine park.

A marine parks authority commissioned survey of businesses in the first six years after the creation of the Solitary Islands Marine Park estimated turnover for businesses surveyed increased 20% or an additional \$3 million, with increased employment. The survey indicated most of this growth was due to an increase in visitation to the area.¹⁶

With a growing population and more and more people using and enjoying the beach and ocean in many different ways we risk loving our marine environment to its detriment. A marine park for the Central region will recognise the importance of these areas to the community and put in place a framework for its protection into the future.

Consultation process

The consultation process has been lengthy - this is now the fourth round of community consultation in six years on the issue of marine estate reforms and the public are yet to see any tangible management initiatives being rolled out on the ground or in the water.

We have been informed there will be a further two consultation processes in the near future, specifically in regard to management of the Central region and the pilot marine park re-zoning programs for Batemans Bay and Solitary Islands marine parks. We fear unless substantial progress is made in early 2018 that this ongoing consultation may cause community members and stakeholders to disengage with the process.

The draft strategy

Overview

The draft strategy is a document with complex concepts that are difficult to convey to our supporters and the general public. There is little detail in the actions therefore we are concerned about measuring the efficacy of monitoring and management efforts. It was clear during the stakeholder workshops into the draft strategy that there are many specific actions that come under the various initiatives that are known by the department DPI and OEH as potential projects that may be funded in the strategy however these specific projects have not been included in the draft strategy for public comment. Actions need to be clear and accompanied by measurable monitoring and management targets.

Accountability and transparency

We believe that there needs to be a high level of accountability built into the strategy which has not been detailed in the draft. Without a high level of accountability for the various initiatives it will be difficult to maintain transparency and ensure outcome targets are met between the various departments, councils and organisations that will be responsible for the roll out of initiatives.

Other initiatives

Below are our comments on additional initiatives mentioned or lacking in the strategy. These initiatives should be developed in addition to the existing marine parks and an additional marine park for the Central region.

Overall we support the objective of better management of the marine estate. We generally support the full suite of management initiatives outlined in the draft strategy and believe that these should be seen as a package and not as individual options.

Initiative 1. Improving water quality and reducing litter

We fully support the management initiative of improving water quality and reducing litter outlined in the draft strategy specific suggestions for this are listed below.

- We support initiatives to reduce diffuse water runoff in acknowledgement of the significant threat it poses to water quality.
- We support the banning of single use plastic bags to bring NSW in line with the other states and territories of Australia to tackle the issue of plastic pollution in the marine environment.
- Ban commercial sale of plastic single use straws there are alternatives such as steel, re-usable paper single use straws.
- We encourage the establishment of a marine litter working group as outlined in the strategy. We encourage such a working group to fund and work cooperatively with organisations and community groups that have been working on the ground tackling plastic pollution for many years.
- Microfibre plastic pollution from clothing is a relatively newly discovered threat and there needs to be measures made at the industry level to stop the introduction of new plastic

fibres into the NSW marine estate. Specific filters on washing machines can be installed and should be mandatory on all new washing machines sold in NSW.

- Industry requirements on maximum packaging limits for products packaged or produced in NSW. Plastic must be reduced at the source the manufacturing and packaging industries in NSW should have strict rules around use of plastic to prevent it entering the environment.
- Oyster reef restoration projects are desperately needed to allow the natural biological process of oyster filter feeding to filter out contaminants and fine sediment particles in the water column to ensure clean and clear water where light is able to penetrate to enable plants such as seagrass to photosynthesise. Australia's shellfish ecosystems are considered 99% functionally extinct. Other states such as SA, QLD and WA have followed the lead of the USA in commencing oyster restoration projects and NSW is lagging behind.
- There needs to be gross pollutant stormwater traps on every single storm water drain in the marine estate and these need to be checked and cleared periodically.

Initiative 2. Sustainable coastal use and development for healthy habitats

We fully support this management initiative outlined in the draft strategy specific suggestions for this are listed below.

- Extensive oyster reef restoration and riparian restoration projects need to be undertaken to provide healthy habitat for marine animals.
- Removal of the invasive marine vegetation caulerpa taxifolia needs to be undertaken and replanting of native marine vegetation such as paddleweed (halophila ovalis) and crayweed (Phyllospora comosa).

Initiative 3. Planning for a changing climate

We fully support this management initiative outlined in the draft strategy specific suggestions for this are listed below.

- The best way to reduce the risk of climate change to the marine environment is to create comprehensive, adequate and representative sanctuary zones within marine parks to allow the marine environment to be as robust and resilient as possible in the face of climate change with its many challenges - warming sea temperatures, sea level rise, increasing storm events and ocean acidification.

Initiative 4. Protecting the cultural values of the marine estate

We fully support this management initiative outlined in the draft strategy.

Initiative 5. Reducing impacts on wildlife

We fully support this management initiative outlined in the draft strategy specific suggestions for this are listed below.

- There is currently inadequate staffing levels at the National Parks and Wildlife Service (NPWS) to enable fast and effective disentanglement of marine mammals along the NSW coast.

- With the impending closure of SEALIFE Sanctuary at Manly at the end of 2017 there will be much less capacity for the community to rehabilitate sick and injured wildlife such as sea turtles and educate the community about the threats to marine life such as boat strike and plastic pollution.
- Spatial management in the form of a Marine Park for Sydney based on CAR principles will allow wildlife to have some respite in this highly populated area of the coast.

Initiative 6. Sustainable fishing and aquaculture

We fully support this management initiative outlined in the draft strategy specific suggestions for this are listed below.

- There is currently a severe lack of compliance officers and the recreational fishing industry is largely self regulated in a voluntary capacity.
- There needs to be a holistic approach to measuring sustainable fishing. It is inadequate to only examine population numbers of popular recreational fishing species and typical bycatch whilst ignoring the impact on all other animals and plants making up the food web of the ecosystem. There is not enough scientific data to inform the process if all species were included however since all data is not available then the precautionary principle should be implemented to ensure conservation outcomes.
- The beaches and headlands assessment process should be completed and return full sanctuary zone protection to all sanctuary zones where fishing from the beaches and headlands was temporarily permitted.

Initiative 7. Enable safe and sustainable boating

We fully support this management initiative outlined in the draft strategy specific suggestions for this are listed below.

- When installing moorings for boats all new moorings should be the seagrass friendly type. We recommend the replacement of all chain moorings with the seagrass friendly moorings over time in the marine estate.
- There are compliance issues in the marine estate with anchoring in seagrass destroying fragile habitat and fish nursery zones. There needs to be an education campaign, along with signage and compliance officers to discourage boat users from illegally anchoring in seagrass meadows.

Initiative 8. Improving governance and enhancing social and economic benefits

We fully support this management initiative outlined in the draft strategy.

Recommendations:

While we generally support all of the initiatives outlined in the Government's Draft Marine Estate Management Strategy, the creation of a large-scale multi-use marine park, with adequate sanctuary zones, designed to meet CAR principles, for the Central Region is the most important initiative for biodiversity conservation, risk management and mitigating user conflict.

We seek a commitment from the Government for the creation of a large scale multi-use marine park for the Central bioregion by the end of 2018. Following a commitment for a marine park, a detailed scientific and community process would be required to design and implement the park.

If you have any questions regarding this submission please contact Marine Campaigner Sharnie Connell on (02) 9516 1488 or sharnie@marineparkforsydney.org.au

Yours sincerely,



Daisy Barham
Campaigns Director
Nature Conservation Council of NSW



Adele Pedder
Marine Campaign Manager
Australian Marine Conservation Society



Alix Goodwin
Chief Executive Officer
National Parks Association NSW

CC: The Hon Niall Blair, MLC Minister for Primary Industries, Minister for Lands and Water. **The Hon Gabrielle Upton** Minister for the Environment. **The Hon Mark Coure** Member for Oatley. **The Hon James Griffin** Member for Manly, **The Hon John Sidoti** member for Drummoyne. **The Hon Shayne Mallard MLC** . **The Hon Bruce Notley-Smith** Member for Coogee. **The Hon Felicity Wilson** Member for North Shore. **The Hon Rob Stokes** Minister for Education and Member for Pittwater.

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