



P.O. Box 630
NARRABEEN
NSW 2101

17th January 2007

The Honourable Ian MacDonald, MLC
Minister for Primary Industries
Level 30 Governor Macquarie Tower
1 Farrer Place
Sydney, NSW, 2000

Dear Minister,

Re Marine park process review

There has been much controversy and criticism involving the marine parks processes in NSW, with allegations that have included claims of preference deals, unscientifically based zoning plans and the use of an extreme implementation of the "precautionary principal". An increasing number of notable marine scientists including Julian Pepperell and Professor Robert Kearney, many of whom are in favour of marine parks, have criticized the stated reasons for the marine parks in NSW, the so-called science for the zoning plans for these marine parks, and the haste in the creation of the last two parks.

At a symposium hosted by Recfish Australia in Brisbane in November 2006, Steve Sutton from James Cook University gave a talk on the elements of effective stakeholder engagement in the marine park planning process. He considers recreational fishers to be generally at the two lowest of 5 levels, being informational and consultational. These levels of engagement equate with various levels of a sense of ownership of marine parks, and it is becoming increasingly recognized that for a marine park to work the stakeholders need to have this "sense of ownership".

The emergence of the group Ecofishers, which claims to have over 13000 members, highlights the concern and anger that is arising amongst recreational fishers along coastal areas of NSW. This high membership number is significant as recreational fishers are noted for their apathy but are now becoming increasingly hostile to, and critical of, the NSW Labor Government for their policy and processes regarding marine parks.

In a series of media releases before Christmas 2006 AAG highlighted some of the issues relating to the NSW Government's marine parks policies and processes, and these have included issues such as socio-economic impacts as exemplified in the Ernst and Young report from AFTA and BIA (together with its associated report "Australia's Marine Parks – Challenging Times Ahead"), problems with biodiversity and land based management such as acid sulphate soils, channel dredging, the science used in such claims as the "spill-over effect" and "egg and larval dispersion", and the speed at which both the Port Stephens and Bateman's marine parks were rushed through.

One of your colleagues, the Honourable Sandra Nori MP, has written to you expressing AAG's concerns.

The Commonwealth's National Representative System of Marine Protected Areas is to establish a comprehensive, adequate and representative system of marine protected areas to contribute to the long term ecological viability of marine and estuarine systems. The UN Convention on Biological Diversity has not adopted specific targets for strictly protected areas. As noted by the Ernst and Young report: "The National Objectives and Targets for Biodiversity Conservation 2001-2005 signed by the Commonwealth and five States and Territories include as a target the protection of a representative sample of each bioregion within the National Reserve System."

The Commonwealth Fisheries Minister Senator Eric Abetz's opening comments at the Recfish symposium were: "We are part of the ecosystem, not an addendum to it. But there needs to be a balance between the competing interests of fishing and the environment." This statement highlights the difference between the marine park process as implemented by the NSW Government and the Department of Environment and Heritage (DEH) for the Commonwealth marine parks. According to the DEH "if the objective of setting up the MPA is to protect a representative sample of biodiversity, there may be no need to prohibit extractive activities that are well managed and do not affect that biodiversity. Conversely, in other cases it may be necessary to restrict even non-extractive uses such as ecotourism and scientific research in the MPA in order to achieve its objectives." At the Recfish symposium Donna Petrachenko of the DEH stated that the Commonwealth's marine park process has no aim of creating "no-take zones" and no percentage of targets as objectives. The DEH will avoid areas of "high use zones" if another area of equivalent habitat exists, and there is stakeholder engagement throughout the entire process.

But in NSW we have up to 62% of a particular habitat zoned as a representative sample of biodiversity for full protection.

AAG's major concern is with the entire process for marine parks in NSW. It appears the NSW Government has exceeded the Commonwealth's NRSMPA objectives that were agreed to by the Commonwealth and the 5 States and Territories, leading recreational fishers to believe that marine parks in NSW are politically motivated and zoning plans based on an extreme implementation of the precautionary principal to meet these political agendas.

AAG has just one series of related questions: if the NSW Labor Party obtains a majority in the Legislative Assembly and returns to Government following the March

State elections, will the NSW Government undertake a review of the processes involved in marine parks in NSW? If not, then why not? If so, then what will be the terms of reference?

It is AAG's belief that the NSW Government has exceeded the "The National Objectives and Targets for Biodiversity Conservation 2001-2005" objectives to which NSW are signatories. The perception amongst recreational anglers is that marine parks in NSW are politically motivated and with zoning plans based on an extreme implementation of the precautionary principal to meet these political agendas. The process goes against the intention of the Commonwealth in the establishment of a NRSMPA and they are not scientifically based. As happened in Western Australia the process in NSW needs to be reviewed following the State elections in March with the aim of ensuring the process is free from, and is seen to be free from, political agendas.

Yours sincerely

Phil Ingram
President
Anglers Action Group