



The Hon Tony Burke MP



Minister for Sustainability, Environment, Water, Population and Communities

C12/20370

Mr John Murphy MP
Chair
Standing Committee on Petitions
Parliament House
CANBERRA ACT 2600

- 2 JAN 2013

Dear Mr Murphy

Thank you for your letter of 23 August 2012 to the Minister for Agriculture, Fisheries and Forestry, Senator the Hon Joe Ludwig, concerning petition no. 697/1128, submitted to the Standing Committee on Petitions in relation to the proposed network of marine parks in Australia's Exclusive Economic Zone. Given the matter largely concerns an area of my portfolio, Senator Ludwig referred your letter to me for advice. I appreciate your letter and regret the time it has taken to reply.

Forty new Commonwealth marine reserves came into effect on 17 November 2012. They comprise the Coral Sea Commonwealth Marine Reserve and the South-west, North-west, North and Temperate East Commonwealth Marine Reserves networks. The process to develop the reserves has involved extensive public consultation, has been based on the best available science and underpinned by independent socio-economic research.

For the first time, examples of the diverse range of marine ecosystems and habitats in Commonwealth waters and the biodiversity they support, have been included in Australia's reserve network. The new Commonwealth marine reserves add more than 2.3 million square kilometres to Australia's marine reserve estate, resulting in a total area of 3.1 million square kilometres of Commonwealth waters being managed primarily for biodiversity conservation.

The Commonwealth marine reserves network has been developed based on the 1998 commitment by the Australian, state and territory governments to establish a National Representative System of Marine Protected Areas (NRSMPA). A representative system of marine protected areas is one that includes example of the biological diversity of the marine environment, i.e. its species, communities, habitats and ecosystems, irrespective of whether these are under threat. A representative system, such as the one that Australia has been developing over a long period, provides an insurance policy against unintended consequences of human activities and against large scale impacts such as those arising from global climate change. Such systems strengthen the health and resilience of ecosystems and in doing so enhances their capacity to withstand and adapt to pressures.

The Goals and Principles for the Establishment of the NRSMPA in Commonwealth waters were developed to guide the identification of areas representative of the diverse ecosystems and habitats in Commonwealth waters. They provide guidance about how to design regional networks of marine reserves that meet the principles of 'comprehensiveness', 'adequacy' and 'representativeness'. There are four goals and twenty principles.

The four goals set out what features should be included in a representative network. Goal 1 indicates that marine reserves networks should include examples of all provincial bioregions occurring in a marine region. Goal 2 indicates that the networks should include all oceans depths within each provincial bioregion (on the basis that different biological communities live at different depths). Goal 3 indicates that the networks should include examples of all types of marine benthic and demersal biological features known to occur at a sub-provincial scale (for example, the key ecological features identified through the marine bioregional planning program). Goal 4 indicates that examples of the different types of physical seafloor features should be included in the reserve networks (for example, underwater seamounts, canyons, and plains, as different ecological communities associate with different types of seafloor habitats). The twenty principles have further guided the design of the networks, based on ecological and policy considerations (for example, one principle states that, wherever possible, biodiversity features should be represented more than once; another principle is that the four goals should be met at the least socio-economic cost).

The Commonwealth marine reserves network was developed through an extensive planning and public consultation process. Over 600,000 people provided comment during the various stages of consultation; with the vast majority of comments supporting the creation of marine reserves. There were a number of key steps in the process, which drew on the best available scientific information and advice and included opportunities for public input and consultation with stakeholders from the diverse industries and interests in Australia's marine environment. The key steps were:

- development and release of Bioregional Profiles for the South-west Marine region, the North Marine region, the North-west Marine region and the East Marine region (the East Marine Bioregional Profile included both the Temperate East and Coral Sea marine regions) between October 2007 and May 2009;
- the identification and release of Areas for Further Assessment between May 2009 and March 2010. The release of the Areas for Further Assessment was followed by the gathering of more information by the Department of Sustainability, Environment, Water, Population and Communities (the department) about activities in these areas, as well as targeted consultation with marine industries and other interests to ensure that options for the location of reserves were developed with a sound understanding of their socio-economic implications;
- the release of draft marine reserves network proposals which were subject to periods of consultation of 90 days in each region between May 2011 and February 2012. Over 2000 people attended meetings in coastal centres around Australia and over 500,000 submissions were received.
- announcement of the final Commonwealth Marine Reserves Network proposal on 14 June 2012, followed by a period of public comment between July and September 2012. Over 80,000 comments were received, with a large majority expressing support for the proposal; and
- following consideration of a report from the Director of National Parks on the comments received, the reserves were proclaimed under Australia's national environmental law and came into effect on 17 November 2012.

The Australian Bureau of Agricultural and Resource Economics and Sciences (ABARES) was commissioned to undertake a socio-economic assessment of the potential of impacts of the reserves network proposals in each of the five regions. In each region, ABARES consulted with, and was guided by, a working group comprising representatives from state/territory governments, fishing industry bodies and the department. In conducting the assessments, ABARES analysed the catch history data held by fisheries management agencies for all commercial fisheries that would be potentially displaced from the proposed marine reserves. The ABARES assessments included a range of statistical analyses, social impact assessments, economic modelling and case studies to provide a variety of perspectives on potential impacts.

As well as drawing on data from fisheries logbooks, ABARES obtained additional information by conducting a series of surveys, interviews and focus groups. The analyses undertaken by ABARES informed the Australian Government's decisions on the final network proposal and were summarised in the Regulatory Impact Statement (RIS), which was developed in consultation with the Office of Best Practice Regulation.

ABARES concluded that the impacts of the draft and final marine reserves network proposals on economic activity and overall fisheries production were small to moderate, with around one per cent of annual average catch likely to be displaced. However, the government has recognised that some fisheries, businesses, communities and individuals could be significantly affected by the proposed marine reserves networks and has announced that a fisheries adjustment assistance package will be delivered to support implementation of the proposed reserves. The ABARES analysis indicates that amendments made to the draft networks following public consultation resulted in an overall reduction in the total estimated displacement of fishing catch.

The displacement of catch likely to arise from the new marine reserves (estimated to be up to 1,530 tonnes) is similar or smaller than the seasonal variations in catch experienced by Australia's wild catch sector over the last two years for which data is available (decline of 9,235 tonnes between 2007-08 and 2008-09 and decline of 921 tonnes between 2008-09 and 2009-10). The extent to which product sourced from the proposed marine reserves is consumed locally or exported is unclear. The estimates of catch displaced also do not take account of the potential for the industry to recover the lost supply in other areas where it is ecologically and economically sustainable to do so. Given these factors, the level of catch estimated to be displaced by the proposed reserves seems unlikely to have any significant impact on the supply chain either in Australia or overseas.

Declaration of the new marine reserves is a major achievement for the long-term conservation and sustainable use of Australia's oceans and has been achieved with modest impacts on industry and recreational users. Excluding the waters of the Great Barrier Reef Marine Park, about 96 per cent of Commonwealth waters within 100 km of shore will remain open to recreational fishers. The petroleum industry continues to have access to Australia's most prospective offshore areas for exploration and development, while not being permitted to access the Coral Sea or other highly protected areas.

The reserves within each network will be managed under a network management plan, similar to the South-east Network Management Plan, a draft of which has recently been subject to public comment. While management plans for the new reserve networks and the Coral Sea Commonwealth Marine Reserve are being developed, transitional management arrangements will be in place. This means that until the new management plans come into effect on 1 July 2014, there will be no "on the water" changes for users in the new areas added to the Commonwealth marine reserve estate. The current management arrangements for pre-existing reserves (or areas within new reserves that were formerly reserves) will remain in place until the new management plans come into effect.

Further information on the final Commonwealth marine reserves network is available at www.environment.gov.au/marinereserves.

Thank you for bringing the petition to my attention.

Yours sincerely

 Tony Burke