

# **SFM Response to the Hawkesbury Shelf Marine Bioregion Initiative**

Sydney Fish Market Pty Ltd (SFM) welcomes the opportunity to comment on this NSW Government initiative from MEMA (Marine Estate Management Authority).

## **The importance of SFM to the economy of NSW and the healthy diets of NSW seafood consumers**

SFM is the principal interface between seafood consumers and producers in NSW. It accepts responsibility to support the seafood consuming public on issues that impact supply of, and demand for, seafood in this State. As such we have a fundamental responsibility to promote and participate in informed debate on the issues that affect the health and sustainability of marine environments and the resources they support.

SFM is a working fish market which sources product from NSW, interstate and internationally. It trades over 14,500 tonnes of seafood annually. The bulk of this seafood reaches the tables of NSW consumers as fresh product. SFM oversees the sale of seafood to an average of 160 trade buyers per day who represent the NSW independent fish mongering sector (80%) and the food service businesses that supply NSW restaurants and clubs (19%). Of the 14,500 tonnes of seafood sold in the 2014/15 financial year 56.3% came from NSW producers (fishers or aquaculturists).

The supply of a wide variety of fresh local seafood underpins the ability of SFM to run a vibrant fish market which is, in its own right, a major tourist attraction (more than 3 million people visit the Fish Market every year). Recent Destination NSW research data confirm that both domestic and international tourists come to SFM due to the wide choice and variety of fresh local seafood that they can access. This Destination NSW study finds that over 900,000 tourists visit SFM per year and more than 20% of all international tourists to Sydney visit SFM. Key drawcards of SFM include: access to a wide variety of local seafood that is representative of the States sub-tropical and temperate waters; extremely fresh product that represents the best and healthiest food NSW has to offer and; the priority given by SFM to sustainability of fishing activities and the ethical sourcing of product.

The annual economic value of the SFM to the NSW economy is currently being estimated by Deloitte Access Economics and is expected to be released in the near future (Report pending). The social value of the Fish Market is further greatly heightened by it being instrumental in the provision of highly prized, healthy and nutritious seafood for NSW families.

## **The MEMA 5 step process and risk assessment framework**

The 5 step process outlined by MEMA is well founded as a science driven, risk-based process: it is logical to first identify all significant threats before suggesting management solutions which address those threats in priority order. The overall process as outlined, if enthusiastically followed, should lead to the development of clear risk-based priorities that can be addressed by appropriate Government management initiatives. SFM applauds MEMA for taking this approach and strongly supports the resulting evidence-based science process.

The underpinning Threat and Risk Assessment (TARA) process appears to be as comprehensive as could be expected. SFM is pleased to see that the process MEMA has adopted is based on an holistic approach to the Marine Estate whereby the whole gamut of environmental threats is assessed under one comprehensive framework.

SFM is reassured to see that TARA has confirmed that commercial fishing and aquaculture are not high risk to the marine environment and that the overall trend of the threat from fishing is decreasing. The current process of reform of the commercial fishing industry will accelerate this reduction in risk. The continued improvement that is apparent no doubt reflects the effectiveness of NSW fisheries management in controlling threats and mitigating impacts when problems do arise. The management of commercial fisheries and aquaculture throughout Australia has an impressive record in recent years for correcting problems where and when they have been identified. Continued improvement can be assumed.

SFM believes that the impressive record of addressing resource use and associated environmental threats that have been attributed to fishing, such as the management of overfishing for species including lobsters, abalone and garfish, confirms that if sustainability or environmental threats from fishing are identified they can be efficiently and most effectively managed under existing fisheries legislation.

### **Gaps in TARA**

It is clearly apparent that unlike commercial fisheries and aquaculture, effective management arrangements are not in place to address the many high priority threats associated with the following activities that have been identified through the MEMA TARA process:

- Shipping
- Estuary opening/ modified freshwater flows
- Urban stormwater discharge
- Recreation & tourism (swimming, shark meshing program, four wheel driving etc.)
- Recreational boating & boating infrastructure
- Foreshore development
- Agriculture diffuse source runoff
- Point source discharges (e.g. industrial thermal, sewage effluent & septic runoff)
- Recreational fishing
- Climate change
- Clearing, dredging & excavation activities

SFM is further concerned because, unlike fishing, the threats to environmental assets from most of the other listed activities have been significantly understated and that management actions adequate to address them are not only not in place but are not even realistically anticipated.

While numerous management actions are outlined in the MEMA approach to address some of the localised pollution and environmental degradation issues it would be folly to assume that the State's pollution problems can be totally ameliorated by this plan. Many of the environmental problems that the State faces arise outside NSW and unlike Australia's fisheries management issues the record for addressing them is lamentable. Many of them are not even being adequately described or monitored. Measures necessary to address the enormous threats that are national or even global in nature, such as climate change, ocean acidification and sea-level rise, remain aspirational, at best. The fact that these greater threats cannot be effectively managed in a regional management plan does not mean that their relevance to the desired management outcome for the NSW Marine Estate can be ignored or even marginalised. However, great care must be taken to ensure that further tinkering with the management of those threats that are already under control, such as commercial fishing, is not used to distract priority from addressing those threats for which current management is demonstrably inadequate.

SFM believes that in addition to the understatement of the collective threat from the multiple forms of pollution (the list given by MEMA is far from exhaustive and does not even include such major pollutants as nano-particles, light and sound) the considerable threat posed by introduced or translocated species and/or pathogens has been totally inadequately described and prioritised and the amelioration of their impacts effectively overlooked.

SFM believes that assessment of the social and economic benefits / threats under the TARA process does correctly identify continuing resource use conflicts between commercial fishers and other users, particularly recreational fishers (TARA risk assessment cells 532 – 548) and the diving community. However, we are concerned that the lack of rigorous differentiation between ecosystem sustainability, including environmental conservation, and resource allocation in the total risk assessment process distorts consideration of the issues. We believe this distortion greatly diminishes the effectiveness of the proposed risk assessment process (discussed further below, particularly under Initiative 4).

## **The MEMA 8 suggested management initiatives**

### **Initiative 1: Improving water quality and reducing marine litter**

SFM strongly supports Government initiatives to tackle the issues of water quality and marine pollution in general. However, as outlined above, SFM believes that a more holistic approach to the factors impacting water quality is urgently required. The necessary approach must include more critical assessment and prioritisation of the multitude of threats from pollution. At the level of localised threats, SFM would particularly like to see a program that better addresses reduction of water pollution from both contaminated runoff and sewage overflow and also initiatives to combat litter and micro-plastics in waterways.

#### Initiative 2: On-ground works for healthy coastal habitats and wildlife

SFM strongly endorses efforts to improve coastal habitats and wildlife protection. SFM has been a strong supporter of OceanWatch Australia (OWA) since its inception and a member of the NSW Fish Habitat Partnership. SFM assumes that the Government will work particularly with OWA as the national NRM organisation, and other relevant organisations to implement the priority aspects of this strategy.

#### Initiative 3: Marine research to address shipping and fishing knowledge gaps

SFM has long been a strong supporter of improved science with respect to the sustainability of fisheries and the marine environment. SFM supports basing all marine management on a cause and effect approach that is underpinned by evidence-based research that looks critically at all threats. MEMA initiatives of particular relevance to this this specific Initiative are; addressing the impact of offshore marine anchorages, sediment re-suspension in the lower Hunter River and the effectiveness of bycatch mitigation measures in both commercial and recreational fishing.

#### Initiative 4: Spatial management for biodiversity conservation and use sharing

This initiative is completely inconsistent with the overarching MEMA strategy of a risk-assessment-based approach to the conservation and management of the NSW Marine Estate including the Hawkesbury bioregion. Its fundamental logic and strategy are in contrast to the rest of the Report, to the extent that this initiative detracts from the credibility of the MEMA strategy. Six of the other seven initiatives are based on identifying problems, no matter where they occur, and then directly addressing them; this one assumes that a strategy of pre-selecting sub-sets of areas and closing them to pre-determined activities that are not priority threats to those areas or elsewhere, will represent cost-effective action.

As an introduction claimed to support this initiative it is stated that “82 per cent of respondents to the Marine Estate Community Survey indicated the importance of maintaining the abundance and diversity of marine life in the marine estate”. This imprecise and incorrect use of survey output is worryingly misleading. Why do only 82% appreciate the importance of marine biodiversity throughout NSW? Respondents did not indicate that they wanted management of subsets of areas at the expense of the efficient, evidence-based protection of the whole of the Marine Estate. These respondents would rightfully have assumed that the conservation of marine life would be based on scientific evidence and an appropriate management strategy, such as that outlined in this MEMA process. The percentage of seafood consumers (more than 90% of the NSW population) that want effective protection of all marine ecosystems, particularly those that support prominent marine resources, would be higher than 82%.

This Initiative assumes, without justification, that it represents an appropriate response to numerous threats, such as climate change, that will clearly not respond directly or efficiently to the action proposed. The other more specific threats it proposes to address, such as ‘Estuary opening/modified freshwater flows’ require addressing throughout NSW, not just in some subsets of areas that are not selected on the basis of their relevance to the threat in question. As with other threats, the opening of every estuary and every modification of freshwater flow needs to be effectively managed regardless of where it may arise or be proposed.

SFM believes that the disproportionate priority given to fishing closures in pre-selected areas will bias protection away from the cause-and-effect management approaches put forward in this MEMA process. This will result in diminution of the protection of this State's biodiversity and marine systems. Giving priority to managing in a few areas, a threat that is acknowledged in the whole MEMA Assessment to not be a major threat to the NSW Marine Estate, is confirmation of the irrelevance of this initiative to an evidence-based response to the biodiversity conservation problems in NSW.

No evidence is given of how this initiative will efficiently address any of the threats (copied below) that are listed as related to it:

- Climate change (H) – environmental risk
- Recreation and tourism (H) - environmental risk
- Recreational boating and boating infrastructure (H) - environmental risk
- Estuary opening/modified freshwater flows (H) - environmental risk
- Recreational fishing (H) - environmental risk
- Aquaculture (M) - environmental risk
- Charter activities (M) - environmental risk
- Resource-use conflict (H) – socio economic risk
- Impacts on cultural heritage and use (H) – socio economic risk

The justification given for this initiative is stated to be based on the CAR (comprehensive, adequate and representative) principle. MEMA has clearly accepted the need to address the conservation of the NSW Marine Estate as an entity (a comprehensive strategy for the total [fully representative] area). No amount of closures of parts of areas to selected lower level threats will ever provide adequate protection of the Marine Estate. The pursuit of a strategy that is not based on addressing threats in priority order is not even appropriate.

The second objective of this initiative, resource use sharing, is highlighted by the TARA risk assessment process as a socio-economic risk, NOT an environmental risk. This issue will not be effectively or efficiently addressed by having a sub-set of areas that have been identified on the basis of biodiversity content, and not resource use or competition, allocated among current or future resource users. SFM supports science and evidence-based resource sharing. However, resource allocation issues must be addressed on resource use principles. Fisheries legislation is designed specifically for the management, including allocation, of living resources to all competing users throughout the entire Marine Estate and its effectiveness for doing so has already been demonstrated.

With growing population pressures in the Greater Sydney region MEMA agencies will need to continuously address the Resource – Use/Conflict allocation issues. In doing so MEMA agencies should clearly announce this rather than trying to package allocation up as some environmental protection measure that is projected to address threats which it quite obviously is neither adequate nor appropriate to do.

SFM does not support the intent or content of this initiative as currently formulated.

#### Initiative 5: Improving boating infrastructure

With growing population pressures SFM can see why MEMA would be looking to provide improved boating infrastructure to the recreational sector. However, it is hard to see how the measures proposed will reduce the environmental stressors and threats to the marine environment. Surely increased infrastructure that promotes increased use and does not effectively address the primary threats associated with increases in usage, such as the impact of antifoulant paints and vessel discharge, will increase the pressure on the marine environment, not ameliorate it?

SFM does not believe this Initiative is consistent with the overall MEMA evidence-based approach. It does not represent an effective response to the threat posed by increased boating.

#### Initiative 6: Reducing user conflicts in Pittwater

As with initiative 4 this is a clear case of biased expectations of area management and NIMBYism in action. At least in this case the initiative is transparent with regard to its motives: It is based on acknowledging that MEMA agencies wish to remove commercial fishing from a waterway to provide greater scenic amenity and add value to a small number of selected residential properties. It is clearly another case of management of selected activities in a sub-set of areas at the expense of commitment to the principles of evidence-based conservation of the broader Marine Estate.

SFM urges the Government to be mindful of inconsistencies in the way in which it addresses the principles to which it expresses commitment. It must also be demonstrably aware that any reductions in commercial fishing activity must be considered in the context of this State's limited supply of, and increasing demand for, a variety of high quality local seafood.

SFM also strongly supports wide consultation with the affected commercial fishers and their representatives and if displacement is proven to be inevitable that appropriate compensation is provided to those fishers, who through no fault of their own or unmanageable negative impact on the conservation of the Marine Estate, may be pushed out of this waterway.

#### Initiative 7: Improving accessibility

SFM supports the principles that underpin this initiative. We stress our support for the evidence-based approach to the assessment of access to all areas of the Marine Estate, including those that may have existing restricted access for reasons that are not consistent with the principles described in the current MEMA approach.

#### Initiative 8: Land use planning for coasts and waterways

With growing population and economic pressures SFM understands the difficulty in balancing the needs of foreshore development with environmental impact on the marine environment. We support this initiative. However, we encourage a more strategic approach to planning that more

obviously includes anticipation of the negative impacts of threats, such as ocean warming and sea-level rise. Any review of the SEPP's should be done carefully to ensure the outcome does not weaken the environmental controls that are in place to protect the marine environment.

## **Conclusions**

SFM strongly supports the MEMA process and the risk-based TARA approach being taken by the Government agencies involved. Through this process MEMA has attempted to address a comprehensive list of risks to the marine environment. We acknowledge the complexity of the issues involved and the relationships between many of the threats that make precision in their management difficult.

SFM acknowledges that 5 of the 8 initiatives identified logically flow from the environmental risk-assessment process. The concept of Initiative 5 flows from the identification of risk from increased boating but the specific actions proposed appear more likely to exacerbate rather than ameliorate the problem. Initiatives 4 and 6 have more to do with unjustified restriction of access to certain parts of the Marine Estate, rather than the tackling of the environmental threats and risks that have been identified. As MEMA acknowledges, appropriate protection of marine ecosystems is necessary throughout NSW with priorities for management to be based on the targeted addressing of clearly identified threats no matter where they arise. Initiatives 4 and 6 are resource allocation actions, based on restricting access to areas, which are packaged up as environmental protection. Resource allocation issues are real and they need to be dealt with for what they are. They must be evaluated in the light of the necessary social and economic assessments.

In the case of access to, and allocation of, fisheries resources strategic assessments must include the interests of the seafood consuming public who constitute more than 90% of the population of NSW and a very high proportion of the tourists who visit this State. The maximum possible sustainable supply of seafood is, like the true protection of biodiversity, dependent on the protection of all of the NSW Marine Estate against all of the threats. Optimum supply will only be achieved if the whole of the Marine Estate is protected. Acceptance that not all threats can be adequately addressed in this plan further endorses the need to ensure that what management is undertaken is tightly focussed on the greatest threats to the Estate.