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MBMP Draft Zoning Plan
Environmental Protection Agency
Via e-mail to:

moreton.bay@epa.qld.gov.au

Submission to Moreton Bay Marine Park Draft Rezoning Plan

I have been authorised by MBAA members to make this submission on behalf of the Moreton Bay Access Alliance. The Alliance's submission comprises this letter and the attached report titled:

"Part 2 - Final Submission: A Participatory and Coordinated Fishing Industry Response to the Proposed Rezoning of the Moreton Bay Marine Park".

It also refers to and includes the first stage of our research which has already been presented to the EPA titled:

"A Participatory and Coordinated Fishing Industry Response to the Proposed Rezoning of the Moreton Bay Marine Park". This report was presented to EPA prior to the release of their Draft Zoning Plan and is referred to in the second report.

In addition to this submission, Marine Queensland, of which MBAA is a Division, has also prepared a submission which focuses on key "strategic" issues associated with the EPA draft plan and the processes that underpin the Marine Park planning processes now and into the future. The Marine Queensland submission is fully supported by MBAA and should be read in conjunction with this submission.

MBAA Representation

MBAA represents a wide range of sectors and interest groups who are directly impacted by the draft zoning plan. Our members represent the bait and tackle industry, recreational fishing and boating groups, charter boats and eco-tourism groups, the boating industry including manufacturers, wholesalers, retailers, repairers and service businesses who supply, sell, service and maintain boats, outboards, marine chandlery, electronics, the seafood industry including commercial fishers of all kinds, seafood wholesalers, marketers and retailers and seafood lovers.

From a commercial fishing perspective, our members represent a vast majority of active commercial fishers (between MBSIA and QSIA), the major wholesalers and many retailers in the SEQ area.

Our recreational members and supporters collectively represent the vast majority of SEQ Boating and Fishing Clubs and through them, in the vicinity of 15,000 anglers and boaters.

Although a number of these Clubs (including ANSA, Redlands Boat Club, MBTBC) are also members of Sunfish, they have given their full support to MBAA's proposals in relation to the Moreton Bay Zoning Plan. The other Clubs who have endorsed the MBAA proposals include the Clubs represented on the Queensland Small Craft Council – Brisbane Outboard Aquatic Touring Club (BOAT), Gold Coast Boat Club, Little Ship Club, Moreton Bay Boat Club, Moreton Bay Trailer Boat Club, Redlands Boat Club, Royal Queensland Yacht Club and Southport Yacht Club. The Power Boat Anglers (not members of Sunfish) are also a member of the MBAA and endorse this MBAA submission and reports.

MBAA also represents Redlands Tourism with 170 local tourism related business members. Fishing is an important catalyst for the Redlands and Stradbroke Island areas, and drives much of the Bayside tourism industry.

The availability of fresh local seafood provided by the commercial sector to be served through local seafood outlets and in restaurants is a critical part of the Moreton Bay visitor experience – one which is largely overlooked when the impact of this rezoning is being considered. Taking this part of the “experience” away will have a severe negative impact on businesses in this sector. This also goes as far as threatening the supply of food for eco-tourism activities such as dolphin feeding.

It must therefore be recognised by the EPA that recreational, commercial and charter vessel fishers and local tourism operators (as mentioned above) are the only major stakeholders in the Moreton Bay Marine Park (MBMP) that stand to lose significant access as a result of this rezoning, and that MBAA represents these stakeholders interests.

The attached report was prepared by the Alliance's independent scientific team. It provides comments and supporting scientific evidence and reasons as to why the draft proposals are supported, supported with changes, or rejected with alternatives proposed in lieu.

EPA's Understated Estimate of Economic and Social Impact on the Recreational Sector

Overall, our research shows that the Moreton Bay Access Alliance (MBAA) alternative zoning plan for the MBMP results in an estimated impact to recreational fishing that is approximately eight (8) times less than that contained in the Environmental Protection Agency (EPA) draft plan.

Our research shows that an estimated \$48 million per annum of recreational fishing expenditure can be attributed to areas proposed as green zones in the Draft Plan released by the EPA, compared to around \$6 million p.a. for the MBAA alternative.

The EPA's draft, if adopted, will result in a combination of displaced recreational fishing effort and reduced recreational fishing participation. Well established research shows that displaced effort has the real potential to result in negative environmental impacts on remaining areas – again, this demonstrates the importance of selecting

areas of less significance to fishing for inclusion in green zones so that displaced effort is minimised.

Previous research from the Great Barrier Reef shows that reduced recreational fishing participation leads directly and proportionally to reduced turnover for businesses that support recreational fishing (e.g. fishing tackle, boat manufacturers, chandlery).

A study by Dr Colin Hunt for the Commonwealth Department of Environment & Heritage titled “Estimating the Impact on Recreational Fishing-dependent Businesses of Great Barrier Reef Marine Park Rezoning” found that the downturn in business activity was from 15% to 37%.

This report also suggested that there was evidence that business sales would have fallen commensurate with the downturn, and that these impacts were driven as much by negative perceptions as by actual closures – in other words, anglers were afraid to continue fishing for fear of the fines involved and of unintentionally fishing in green zones due to uncertainties about location of boundaries. This study showed that the “fear factor” is likely to easily outweigh any reduction in impact of green zones through recreational anglers shifting their fishing experience to alternative locations.

Translated to Moreton Bay, this means that around \$48 million per annum of recreational fishing expenditure, and numerous businesses and jobs, are at major risk unless the impacts inherent in the rezoning proposed by the EPA are addressed.

The largest single impacts on recreational fishing activity occurs as a result of six (6) of the EPA’s proposed green zones: Peel Island, Cherubs Cave/Henderson Rock, Tripcony Bight, Mid-Tempest, St Helena Island and Heath Island. In order to minimise impacts of the rezoning of MBMP on the recreational fishing sector and supporting businesses, these areas must be the priority areas for attention.

It cannot however be ignored that the other proposed green zones listed in this submission as needing change are not insignificant in their impact. They all represent very important locations to local communities and sub-sectors of the recreational fishing community, and all deserve to be addressed to minimise the social impact, even though their economic impact may be less noticeable in the overall scheme of the Bay fishery.

The MBAA alternative proposals contained in the attached report will considerably reduce this impact and should be adopted. Even if they are fully adopted, there will be an impact and MBAA submits that this must be addressed through:

- an appropriate Structural Adjustment package (SAP); and
- offsets such as a number of artificial reefs being actually put in place very quickly, rather than just considered or studied.

Extension of Structural Adjustment Package to businesses supporting Recreational Fishing

MBAA’s strong submission is therefore for the Government to establish a structural adjustment package that covers businesses that support recreational fishing, including charter vessel operators and other land based businesses such as those building, supplying and servicing motors and boats and supplying spare parts, chandlery, tackle, bait and berley. This SAP should be in line with the package applied by the Commonwealth Government for the RAP, and that:

- A committee be urgently set up (and supported by EPA) with responsibility to develop and recommend to Government the detailed criteria for this SAP; and
- The Committee should comprise representatives of EPA, DPI&F, Queensland Rural Adjustment Authority, recreational fishers and relevant industry groups, with MBAA guaranteed significant representation.

Provisions relating to Proposed Yellow Zones

One of the most disappointing issues is that EPA has not taken a risk-based approach to this review. As a result, the draft EPA plan fails to match the identified environmental threats to the values in the MBMP, with proposed actions to mitigate these threats. Instead, the draft EPA plan focuses principally on limiting the spatial extent of fishing and introduces an additional poorly conceived, scientifically unjustified layer of fisheries management provisions that potentially compromise the goals of fisheries management.

Further, if the proposed provisions for yellow zones in the MBMP are introduced they will represent a third variant of yellow zone provisions in this State.

MBAA submits that additional restrictions on fishing in yellow zones have neither been justified or are necessary and that conservation park (yellow) zones should allow for recreational line fishing and commercial crabbing consistent with the provisions of the *Fisheries Act 1994*. This is especially in light of:

- the introduction of further size and in-possession (bag) limits and tunnel netting reductions as a result of the Inshore Finfish Review, and the soon to commence review of rocky reef fish; and
- the risk analysis done by MBAA (and which EPA presumably also has done) that show that crabbing presents no or negligible impact on the environment.

Further, to mitigate impacts, commercial net fishing should be permitted in the following yellow zones as a non-conforming use.

- Outside Pumicestone Passage in CPZ02 where commercial net fishing currently occurs;
- Bramble Bay (CPZ05); and
- Peel Island (CPZ07)

Maintenance and Upgrading of Marked Navigation Channels

The draft MBMP zoning plan as it currently stands has the potential to limit recreational vessel access in the medium and long-term from harbours and marinas as a result of prohibitions or limitations to maintenance dredging in dark blue, yellow and green zones.

MBAA submits that all marked navigation channels leading from deep water into marinas, boat ramps and similar locations, plus a suitable buffer around them to allow for natural movement of channels over time (especially where there is a history of such movements) be included in General Use zones.

Changes to Proposed Zones

The attached report details the MBAA's submissions in relation to changes required to zones – if implemented, these changes will improve environmental outcomes in some areas and will significantly reduce the social impact on users and the economic impact on the SEQ economy.

Artificial reefs

The Government's commitments in this regard are welcomed, however the process for the design and site selection for the proposed artificial reefs and the timeframes for implementation are unclear.

MBAA therefore proposes that a small steering committee be established by EPA to guide and oversee the process of selecting suitable artificial reef sites, suitable reef designs and to ensure a plan is developed and endorsed by Government before the new MBMP zoning provisions come into force in late 2008. This steering committee should include DPI&F staff and representatives of those sectors whose activities are directly impacted by the zoning and who the artificial reefs are intended to benefit (both recreational and commercial fishing).

Impact of Zoning on the Commercial Sector

MBAA has put forward the proposals in the attached report regarding changes to green zones as part of a total package that also addresses major impacts caused to the commercial sector by yellow and dark blue zones.

In particular, the commercial netting and crabbing sectors are significantly affected by conservation (yellow) zones, and in this regard, MBAA reiterates its earlier submissions in respect of the changes we are seeking to the provisions relating to yellow zones.

Dark Blue Zones impact on Trawling

In relation to dark blue zones, MBAA's research demonstrated that some 19% of the MBMP area is already permanently closed to trawlers under fisheries legislation, with additional area closed under seasonal closures.

Our research showed that very significant areas of the habitats most threatened by trawling, being bioturbated mud (23%), inshore algae/sponge (46%), mangrove/intertidal (28), riverine/estuarine (17%), sandy channels (90%) and, most importantly of all, seagrass (87%) are already excluded from that activity under fisheries closures.

EPA's proposals to extend dark blue zones beyond the existing trawl closures do not adequately recognise the totality of protection offered to the environment by the combination of existing fisheries closures and proposed green and yellow zones.

For these reasons, MBAA's submission is that the proposed dark blue zones be amended to align with existing trawl closures. Further information regarding this is provided by MBSIA and QSIA in their submissions.

Economic Impact on Commercial Sector

Assessing the comparative economic impact of the EPA and the MBAA for the commercial fishing sector could not be completed in the available timeframe. This assessment remains on-going and information available will be more fully outlined in the submissions from MBSIA and QSIA. Latest estimates are that the impacts of the EPA proposal on commercial fishing are in the order of \$40 – 60 million.

The proposals outlined above in relation to amending the provisions to conservation (yellow) zones to allow commercial crabbing will greatly assist that sector to remain viable and will reduce the need for structural adjustment payments.

Structural Adjustment for the Commercial Sector

The draft zoning plan for the MBMP has outlined a licence buyback scheme but has not, as claimed, presented a structural adjustment program. For the MBMP rezoning the following components should be included in a structural adjustment package (SAP):

- Full business restructure assistance – to include business impacted by changes to both commercial and recreational fishing activities
- Fishing industry employee assistance
- Exit assistance for fishing licence holders
- Exit assistance for fishing related businesses and fishing licence lessees.

As stated earlier, the SAP should be developed with appropriate provisions and extended to charter vessel operators and land-based businesses that can demonstrate an economic impact from the MBMP rezoning.

MBAA's submission is that an independent advisory panel be established and convened by EPA to provide detailed advice on operational principles of the buyback and SAP. This panel should include representatives from Queensland Department of Primary Industries and Fisheries (DPI&F), Moreton Bay Seafood Industry Association (MBSIA), Queensland Seafood Industry Association (QSIA) and the Queensland Rural Adjustment Authority (QRAA).

A class tax ruling from the Australian Taxation Office (ATO) should be sought by the government and provided to fishing industry participants to provide for an understanding of the tax implications of becoming involved in any buyback/structural adjustment scheme.

Any scheme that introduces "Moreton Bay" fishing licenses should be administered and delivered under fisheries legislation to ensure consistency and maintenance of proprietary rights of commercial fishing licenses.

Total Economic and Social Impact on SEQ

The total impact on the SEQ economy when the loss of \$48 million in recreational expenditure is combined with lost GVP and associated expenditure from the commercial sector (initial estimates in the order of \$23.5 million per annum) will represent a major impact on the SEQ economy and will have severe social implications for businesses and jobs.

This impact is not justified in the public benefit test included in the RIS. This is mostly because of EPA's significant under-estimation of the impacts on both recreational and commercial sectors in its draft, and erroneous assumptions about recreational fishers actually transferring their activities to alternative locations.

Adopting the proposed alternatives and changes proposed by MBAA will greatly reduce, although not eliminate this impact, and there will still be the need for a comprehensive structural adjustment package for businesses in both the commercial and recreational sectors.

MBAA is committed to ensuring a sustainable future for the MBMP and at the same time ensuring that unnecessary negative impacts are minimised. There is a significant body of evidence (including a \$250 million adjustment bill) that demonstrates that the negative impact of the GBRMPA review process on the fishing and boating industry. These Impacts included:

- Reduced business performance resulting from reduced consumer demand;

- Business cessations;
- Job losses;
- Social and community impact as a result of reduced economic activity.

We have the opportunity to learn lessons from these mistakes and to ensure that these unnecessary outcomes do not result from the review of the Moreton Bay Marine Park Rezoning.

Please do not hesitate to contact me if you require further information before developing a final position on the new MBMP zoning arrangements.

Kind Regards,

A handwritten signature in black ink, appearing to read "Bruce Alvey". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Bruce Alvey
Chair

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