



Environmental Defenders Office

Adelaide office: Level 1, 182 Victoria Square
Adelaide SA 5000

10 July 2020

The SA Marine Parks Review

Department for Environment and Water

GPO Box 1047

Adelaide SA 5001

By email: marineparks@sa.gov.au

Re: Proposed changes to SA's marine parks

The Environmental Defenders Office (EDO) is an independent community legal centre specialising in public interest environmental and planning law. The EDO provides advice, representation and education on environmental matters and engages in law reform activities. The EDO appreciates this opportunity to comment on the proposed changes.

Recommendation 1 –no changes at this time

The EDO notes that the proposed changes were the result of a 2018 Liberal Party election promise. A 10-year evaluation of South Australia's sanctuary zones is legislated to occur by 2022. In general, insufficient time has passed since marine park implementation for changes in size, abundance and diversity of biota to be detected. Scientific studies suggest a minimum of 10 years of data to see meaningful trends in recovery of species, increases in biodiversity or other positive impacts. The legislated review will address whether the current marine park has been effective in protecting and conserving marine biological diversity and marine habitats, or maintaining ecological processes, and will also evaluate the social-economic impacts of the marine park network. Therefore it is our primary recommendation that any changes to the marine park system should not occur at this time as it is at odds with the legislative process, current scientific knowledge and evidence-based decision making.

Recommendation 2-no changes to existing sanctuary zones.

The Government's report confirms the overwhelming success of the existing marine park network in achieving its objective. It concludes that existing commercial fisheries have not suffered significant impacts and in general have access to more fish biomass and a higher catch-for-effort ratio than in the past due to government compensation and license buyback programs. Regional economies have experienced positive growth from the tourism sector and there is no evidence of negative economic impacts in areas with sanctuary zones.



Environmental
Defenders Office

T +61 8 8359
2222

W edo.org.au

E melissa.ballantyne@edo.org.au

P GPO Box 170 Adelaide SA 5001

The proposed changes would remove large areas of high biodiversity and significant conservation values from sanctuary zones. This is incompatible with the purpose of the Marine Parks Act and intergovernmental commitments of state, territory and federal governments to establish a CAR system of marine parks. Offshore islands, already poorly represented in the marine park network, are at particular risk with these proposals.

The protection of these sites provides multiple benefits to marine ecosystems and regional communities. These locations are critical refuges for marine life as they include important nursery, spawning and juvenile habitat for a variety of commercial fish species that have suffered long term depletion due to overfishing in surrounding waters. Unique and irreplaceable biodiversity hotspots and habitat for a range of vulnerable species around Isle St Francis would also lose protection and be 'exchanged' for areas of much lower conservation value.

The proposed use of sanctuary zoning (with a special purpose area overlay) will diminish the function and standing of what should at all times be no-take zoning and therefore this proposal is opposed. Sanctuary zones are by definition 'no take zones' that provide vital feeding, breeding, nursery and resting areas for a range of plants and animals. These proposals are contrary to the definition of sanctuary zones under the Marine Parks Act 2007, 'prohibiting the removal or harm of plants, animals or marine products'. These proposals are a major threat to efforts to build resilience in fish stocks and preserve the unique and outstanding biodiversity within South Australia's marine environment.

Should you have any questions on the above, please do not hesitate to contact Melissa Ballantyne via email melissa.ballantyne@edo.org.au

Yours sincerely

Environmental Defenders Office

A handwritten signature in cursive script that reads "M Ballantyne". The signature is written in dark ink on a light-colored background.

Melissa Ballantyne
Managing Lawyer – Adelaide