Review of National Marine Pest Biosecurity Discussion Paper

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Summary

Overarching principles

- Regulation in relation to marine biosecurity that imposes significant costs must be underpinned by robust scientific evidence of impact.
- Regulation in relation to marine biosecurity that imposes significant costs must be shown to have a direct impact on risk
- The cost imposed upon industry as a result of regulation in relation to marine biosecurity must be in proportion to the likely impact resulting from the introduction of marine pests

Specific issues addressed

- Despite decades of consideration, international and domestic management of marine biosecurity is done in a piecemeal, inconsistent and ad hoc way which increases costs and uncertainty to industry. Better understanding about what regulations and requirements exist in different state jurisdictions (including activities and regulations within port waters) and a consistent approach (domestically and internationally) is required.
- MIAL supports the long-term approach whereby there would be a requirement on vessel operators to adopt IMO Biofouling Guidelines, including on board biofouling management plan and record book. This kind of approach would require an adequate lead in time, encompassing a clear voluntary and educational phase that was communicated through the IMO.
- For the period between implementation of the Biosecurity Bill 2014 and the Ballast Water Convention, in our view, the only reasonable option is to exempt certain uptake and discharge locations from ballast water management requirements.

Submission

Issue 1: Limited commitment and resource allocation to implement the National System

1. **What do you consider to be the main impacts (consequences) from marine pests to your business, industry, activities or the environment?**

    - The accumulation of biofouling on vessel hulls and seawater intakes can create significant operational issues as well as increasing fuel consumption and resulting emissions. As fuel represents a large proportion of the operation cost of most commercial vessels there is considerable commercial incentive to take proactive measures to minimise biofouling on hulls and critical seawater intakes.
    - The regulation of marine biosecurity can have unreasonable high cost impacts where:
        - A zero tolerance approach to risk exists,
        - Inconsistent approaches to the management of biosecurity occur within Australia (i.e. between states and between ports)

2. **What activities should the Australian Government do to manage the biosecurity risks associated with marine pests to an acceptable level? (to protect your business, industry, activities or the environment)**

    - Focus on biofouling education through the appropriate channels (the vessel maintenance decision makers as well as crew) to promote the uptake of the IMO biofouling guidelines.

3. **What information or data should the Australian Government collect to support ongoing national commitment to manage marine pest biosecurity?**

    - Any policy and subsequent regulation that imposes a cost on industry should be underpinned by good science. Notwithstanding that fact that it would be difficult to establish impact of particular species where baseline data is lacking, it should be recognised that there is currently a gap in understanding and empirical evidence of the genuine impacts (environmental or economic) of the many marine pests already established.
    - A wholesale stocktake of all the existing marine biosecurity requirements for commercial vessels in all jurisdictions and ports. There is a fairly ad hoc application of requirements in different states and ports, which is not always underpinned by good outcome driven policy. This is particularly the case with regard to regulations and requirements relating to biofouling.
    - The collection of information relating to the efficacy of the technical measures proposed in the international biofouling guidelines would be particularly helpful in better understanding what practical measures ship operators should be required to implement to minimise as much as possible the risk of introducing marine pests via biofouling.

Issue: Current Biofouling requirements are not consistent across jurisdictions

4. **What are the best ways to manage and monitor the biosecurity risks of biofouling on vessels?**

    - At the outset it is worth noting that it is unfair to judge the success, failure of otherwise of a voluntary system where there has been very little to no concerted effort to educate, pollicise or, in fact, fairly evaluate uptake.

    - The best way to ensure in the long term that the risk of vessels introducing further marine pests into Australian waters or translocating marine pests domestically, is to ensure greater understanding and uptake of the effective technical measures to minimise the existence of biofouling.

    - The current proposed approach (implemented in some jurisdictions), whereby there is a focus on particular species is costly, impractical and when you consider implementation on a domestic level, where you have established marine pests in some locations not existing in other locations, would result in inconsistent and piecemeal national implementation.

5. **If the Commonwealth progresses to regulate the management of biofouling on international vessels, what role should it take in the development of domestic controls by the states and territories?**

    - International and domestic management of biofouling should, ideally, mirror controls on ballast water. That is, there should be consistent application of biofouling requirements internationally and domestically.

    - If biofouling regulation was imposed through the existing international guidelines, this could be achieved, as with any other safety or environmental requirement on international shipping.

Issue: The species based approach to manage biofouling

6. **Should the department consider a regulatory framework for international biofouling manage that is:**
    - **A species – based approach (as currently proposed in the biofouling RIS) or**
    - **An approach based on a requirement for vessel operators to adopt IMO Biofouling Guidelines, including on-board biofouling management plan and record book.**

    - MIAL supports the long-term approach whereby there would be a requirement on vessel operators to adopt IMO Biofouling Guidelines, including on board biofouling management plan and record book.

    - This kind of approach would require an adequate lead in time, encompassing a clear voluntary and educational phase that was communicated through the IMO.

    - An approach that is based on a requirement for vessel operators to adopt the IMO Biofouling Guidelines would have the following advantages:

- An overall reduction in biofouling risk from international shipping as a result of greater attention paid by industry to the technical measures available to them to minimise biofouling.
- The same low risk result could be achieved for all biofouling species – not just those known to be a potential risk to Australia.
- You could apply the same requirements and achieve the same low risk result for domestic movement of ships as you would for international arrivals.
- Compliance could be demonstrated in a practical way via on board inspection of ship records.
- Regulation in this way would be much more cost effective and in line with current approaches to safety and environmental regulation in international shipping.

Issue: Minimise the cost to industry of domestic ballast water management requirements

7. **How can the Australian Government cost-effectively manage domestic ballast water risks, while preventing the spread of established marine pests**

- Currently, with the exception of the discharge of domestic ballast water into Victorian waters, there are no such controls and the domestic ballast water risks are not managed.
- Once the Ballast Water Convention is in force, twelve months later, all vessels to which this convention applies will need to be fitted with ballast water treatment technology.
- Much of the concern about the potential cost of compliance arises in relation to the time period between implementation of the Biosecurity Bill 2014 and entry into force of the Convention. This time period is unknown at this stage and is likely to only impact on smaller domestic vessels, those operators not aware of possible requirements under the Convention and in particular, large vessel on intra-state voyages through the GBR, currently still conducting exchange.
- It has been estimated that requiring vessels to exit the GBR in order to conduct ballast water exchange could directly cost one operator, moving cargo between Weipa and Gladstone, between $10 and $15 million per year.
- It should be noted that ships have been moving vast quantities of ballast water from Gladstone to Weipa for decades with no marine pest issue arising.
- In our view, the only reasonable option is to exempt certain uptake and discharge locations from ballast water management requirements for this period. That is until the implementation period for the Convention is complete – up to five years.

8. **Should species-specific assessments of port-to-port movements, with associated monitoring, be used?**

- Location to location, species specific management of ballast water is only meaningful with a robust underpinning port monitoring program.

- The problems associated with implementing a location monitoring program are well known and mainly have to do with the associated costs, equitable cost recovery and the proper identification of risk creators and beneficiaries.
- Again, this issue is only an issue for the period between implementation of the Biosecurity Bill 2014 and the Ballast Water Convention. Keeping in mind we will be moving from no ballast water management to full ballast water management, in our view there is no justification for the cost associated with the implementation of a monitoring program for this intervening period.

9. Should we restrict ballast water movements between suitably determined regions?

- In a world where the Biosecurity Bill 2014 has been implemented, nothing would necessarily have changed in relation to the actual risk profile between ports. Furthermore, the scientific robustness of applying regulations through the bioregions is questionable.
- As stated above, in our view, the only reasonable option is to exempt certain uptake and discharge locations from ballast water management requirements for the period between implementation of the Biosecurity Bill 2014 and the Convention.

Issue: Incomplete implementation of the National Monitoring Strategy

10. What are the most important aims for monitoring in a cost effective national marine pest biosecurity system?

- Early detection of range extension of established marine pests and new introductions so that assessment of likely impact and appropriate management activities.

11. How should this monitoring be achieved?

- In a cost effective way.
- Unfortunately MIAL does not have the scientific expertise to provide useful advice on how this might be achieved.