

Dolphin Swim Australia Pty Ltd
New South Wales only licensed wild dolphin swim
PSGLMP 2012/068
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Re: Marine Finfish Cage Trials – Providence Bay, Port Stephens Application SSI 5118

Dear Mr. Ritchie,

Thank you for the opportunity to provide our comments on the proposed published EIS and Management plan developed for a Finfish 'research trial' within the offshore waters of PSGLMP.

I would like to state that my company was omitted from direct consultation and found ourselves 'on the back foot' when we received by a third party the EIS document just a little over four weeks ago. Since then we have managed to overview the current documentation on hand, gather some information in regard to the Fisheries proposal and to whom and when they may have 'consulted', presented opposition verbally and in writing to Ian Lyall and attended a 'drop in' session at Port Stephens Fisheries institute with Ian Lyall and Graeme Bowley.

Such is the depth and breadth of opposition to commercial Finfish farming in offshore waters within the pristine boundaries of PSGLMP that we consider the following document a first draft submission. We would like to be granted further time to present detailed written and scientific data to back our claims if required.

Kind regards,

Andrew Parker

Andrew Parker
CEO Dolphin Swim Australia
0438444500

Marine Finfish Cage Trials – Dolphin Swim Australia Submission

Providence Bay, Port Stephens (Application SSI 5118)

As CEO of Dolphin Swim Australia, ultimately responsible for participants and staff involved in this world first commercial activity, I am greatly concerned about the adverse effects this proposed fish farming trial will have on commercial activity in Providence Bay.

DPI state in the EIS that NSW DPI began the consultation process with relevant stakeholders in late 2011. As CEO of Dolphin Swim Australia, the first and only recognized / permitted wild dolphin swim in NSW permitted to operate within the boundaries of the PSGLMP, until recently (the last few weeks) had never been contacted, consulted or even placed on a communication list. I am told that Fisheries were aware of us, yet were content with presenting to others, based on their assumption that we were either a part of another company IE Imagine Cruises or they had spoken to others IE Max Haste previous director of Marine Parks who told them “they (DSA) won't have any opposition”. I am here to say that is a complete falsehood. We oppose any fish-farming activity that could in DPI's own assessment have 'moderate' risk to the resident or transient dolphins, whales, marine animals, environment, clients and staff of our company.

Our concerns include but are not limited to the EIS identified 'moderate' risk issues:

- Fish farming will alter migratory and feeding patterns of cetaceans in Providence bay.
- Water quality / clarity
- Disease
- Chemical use
- Dolphin behavioral change
- Predatory interactions

Our permitted wild dolphin swim, at the behest of MPA is independently monitored by qualified and recognized cetacean experts Victoria University (VU) and Dr Carol Scarpaci have determined unprecedented compliance statistics of our swim / interaction protocols. At great personal expense to my family, investing over 300K and untold hours in the four year permit process and subsequent three year operation. We have committed to extensive trialing and consultation, Dolphin Swim Australia have created a world class / best practice system of wild dolphin / human interaction second to none in the world that allows common dolphin to join us at their discretion. That means dolphins actually choose to interact with us or not.

Since conception and commencement of our permitted swim in January 2010, DSA have recognized that science is key to understanding this little known species of dolphin *D.delphis* and have at our expense, designed a scientific study and conduct daily data collection on migratory and distribution of this

species. This study is overseen daily by biologist and resident MMO Elisa Bailey and marine biologist Yui Shibata.

Data collected daily includes: GPS location, weather/ environmental data, water temperature, water depth, moon phase, numbers of dolphins, fin photo identification and catalogue, pod / group behavior, group composition, pre-swim behavior / post swim behavior and extensive in water video data that is yielding unprecedented behavioral data on this little known and seasonally abundant species. This is the most comprehensive long-term study ever conducted on a localized / pelagic group of *D. delphis* that we are aware of, anywhere in the world. We fear that commencement of the trial without a baseline Migratory and Distribution study on *D. delphis* will render any data collected by Fisheries or others useless in determining any change to migratory and feeding patterns of small cetaceans.

Through our commercial swim, our company is committed to contributing to the scientific understanding of this species. We stand by our record to date and invite comment from our licensing authority, NPWS or our independent monitoring organization Victoria University as to our integrity to date.

We state in opposition to the Finfish trial, based on our extensive experience with this offshore species *D. delphis* in the area of proposed trials that:

- Any change to *D. delphis* migratory and feeding patterns has the potential to disrupt the resident / transient dolphins, our swim protocols, our business and our scientific study.
- Water quality and clarity in Providence Bay is usually variable, however introducing tones of effluent to Providence bay will adversely effect water quality and quite possibly introduce our participants and the dolphins to the chemical concoction in the 'plume'.
- Disease introduced by the trial has the potential to not only affect the health of the fish ecology in the marine park, damaging fish stocks and businesses like commercial dive operations, charter fishing, snorkeling and recreational anglers and it is possible to introduce disease to the top line predators like *D. delphis*.
- Noise generated by the installation, maintenance and operation of these farms is shown to disrupt marine mammals migratory and feeding patterns.
- Chemical, antibiotic / therapeutic use, is unacceptable in any quantities in a marine park and the benefits are negligible, the potential for cost to the environment is immense.
- Risk of entanglement with mooring lines, netting, marker buoys and the like is quite likely an unacceptable risk to small and large cetaceans and navigating vessels.

- Finally; the potential to increase adverse predatory interactions around such intensive concentrations of penned prey is far above 'moderate' in our view, and were it to be considered moderate during trials, then once Tuna or Kingfish farming expands, and it will, what will be the cascading effects? PSGLMP is a vibrant, functioning ecosystem with more than its fair share of top line predators. Since recognizing and identifying that a 'moderate' risk of increased predatory interactions will occur, how does DPI intend to manage that risk if our business or another falls victim to this risk if this trial goes ahead?

Apart from the commercial aspects of fish farming IE someone stands to make a lot of money from fish farming in this area and the proximity of PSGL fisheries research institute to have a research project on their doorstep, there are acknowledged adverse effects to **all users** of the marine park.

With such potential risks to local commercial operators, substantially increased risks to commercial and public use of the park, substantial environmental damage, quarantining of large portions of the park and increased predators with altered behavior to the area will occur.

I'm sure you can understand that a shark attack on a commercial activity such as dolphin swim or on a dive or marine discovery activity would be devastating to the regions tourism. Were it to be proven that this trial contributed to such an event, liability would ensue.

Our company has chosen this area to develop this activity because our our experience here, the quality of the environment and the proximity to *D. delphis* and taken the entire initial significant objections from MPA, NPWS into consideration while designing and investing in our swim and business. Our permit conditions and legislation compliance is exemplary. We are committed to providing the safest open water interaction we possibly can.

In conclusion: This is a poor use of such a public asset. This trial, on the back of a 30 hectare approved farm is just the beginning. This is a pristine environment used extensively by cetaceans, predators, marine mammals, fish stocks, commercial operators and the public. Quarantining large portions of the marine park for aquaculture with all the inherent risk, in our opinion is not an acceptable use of such a resource.

If given more time, we can expand and substantiate any claims made by us in this submission were we are required to do so.

Andrew Parker