

Not Relevant

2 Bills and Regulations in Principle

Not Relevant

205 MAFF05/0041CS

**Fisheries Act 1982: Amendment to the Fisheries
(General) Regulations 2000 to Declare the Family
Syngnathidae (Pipefish, Sea Horses, Sea Dragons)
as Protected Species
APPROVED**

CABINET COVER SHEET

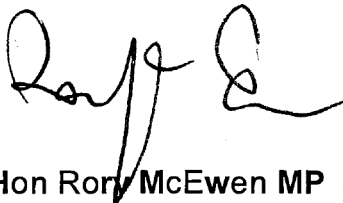
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|-----|---|--|
| 1. | TITLE: | <i>Fisheries Act 1982</i> : Amendment to the <i>Fisheries (General) Regulations 2000</i> to declare the Family Syngnathidae (pipefish, sea horses, sea dragons) as protected species |
| 2. | MINISTERS: | <p>Hon Rory McEwen MP
 <u>MINISTER FOR AGRICULTURE, FOOD AND FISHERIES</u></p> <p>Hon John Hill MP
 <u>MINISTER FOR ENVIRONMENT AND CONSERVATION</u></p> |
| 3. | PURPOSE | To seek Cabinet approval to amend the <i>Fisheries (General) Regulations 2000</i> to declare the Family Syngnathidae as protected species under the <i>Fisheries Act 1982</i> |
| 4. | IDENTIFY THE RELEVANT GOVERNMENT POLICY AND / OR SOUTH AUSTRALIA'S STRATEGIC PLAN TARGET | Policy commitments in the <i>Living Coast Strategy</i> regarding the conservation of marine biodiversity and the protection of threatened species. |
| 5. | RESOURCES REQUIRED FOR IMPLEMENTATION | <p>Nil</p> <p>Treasury and Finance has been consulted.</p> |
| 6. | COMMUNITY AND ENVIRONMENTAL IMPACT | The broader community will perceive a stronger commitment to conservation of threatened, rare and endangered marine species by the South Australian Government |
| 7. | RISKS | The proposal is unlikely to attract any negative publicity. |
| 8. | CONSULTATION | <p>Impact statement agencies have been consulted and the statements are appropriate</p> <p>The Department for Environment and Heritage supports the proposal.</p> |
| 9. | COMMUNICATION STRATEGY | Media Release |
| 10. | URGENCY | Within the 10 day rule. |

11. RECOMMENDATIONS

It is recommended that Cabinet:

- 4.1 Approve the proposal to amend the *Fisheries (General) Regulations 2000* under the *Fisheries Act 1982* to declare the Family Syngnathidae as protected species (Attachment 1).
- 4.2 Approve forwarding this file to Parliamentary Counsel for the preparation of the necessary regulations.
- 4.3 Approve this document as a document to which access may be given under the *Freedom of Information Act 1991*.

We declare that we have no actual or potential conflict of interest in relation to the proposals contained in this submission.



Hon Rory McEwen MP
MINISTER FOR AGRICULTURE, FOOD AND FISHERIES
MINISTER FOR STATE/LOCAL GOVERNMENT RELATIONS
MINISTER FOR FORESTS

Date: 22 NOV 2005



JOHN HILL
MINISTER FOR ENVIRONMENT AND CONSERVATION

Date: 6/11/05

TO: THE PREMIER FOR CABINET

RE: **FISHERIES ACT 1982: AMENDMENT TO THE FISHERIES (GENERAL) REGULATIONS 2000 TO DECLARE THE FAMILY SYNGNATHIDAE (PIPEFISH, SEA HORSES, SEA DRAGONS) AS PROTECTED SPECIES**

1. **PROPOSAL**

- 1.1 That Cabinet approve a proposed amendment to the *Fisheries (General) Regulations 2000* under the *Fisheries Act 1982* to declare the Family Syngnathidae as protected species (Attachment 1).

2 **BACKGROUND**

- 2.1 South Australian coastal waters are home to a number of species of the Family Syngnathidae, which includes sea horses, pipefish and sea dragons.
- 2.2 The most notable of these species is the leafy sea dragon, which is considered rare and restricted in its range to parts of the Southern Australian coastline.
- 2.3 During the late 1980s, the leafy sea dragon became a victim of poaching as individuals sought to collect and maintain the species in home aquariums. In response to poaching, the South Australian Government proclaimed the leafy sea dragon as a protected species under the *Fisheries Act 1982*.
- 2.4 Leafy and weedy sea dragons are closely related species, occupying similar environmental ranges and habitats.
- 2.5 The general consensus within the scientific community is that weedy sea dragons are common and occupy a greater range of habitats than the leafy sea dragon. There is, however, a lack of detailed scientific information on the distribution and abundance of the weedy sea dragon. Due to this lack of information, the weedy sea dragon has, along with the leafy sea dragon, been listed on the International Red List of Threatened Animals.
- 2.6 This listing has resulted in conservation groups calling for an increased degree of protection for the weedy sea dragon and sea horses in South Australian waters.

3 DISCUSSION

- 3.1 Certain species of pipefish, sea horses and sea dragons have been targeted for use in the Asian apothecary trade. The most sought after species are tropical sea dragons, which can grow to lengths of nearly 0.5 metres.
- 3.2 The species found in South Australia are not heavily sought after for the Asian apothecary trade, as overall the species are considered small. However, some larger specimens have been found and conservation groups have concerns that over-exploitation of these species in tropical waters may cause a shift in focus to local temperate waters.
- 3.3 The uncertainty regarding the conservation status of many syngnathids, the listing of some species as potentially threatened species at the international level and the spectre of some species becoming a target for the Asian apothecary trade, warrants an increased level of protection for these marine fishes.
- 3.4 Drafting instructions are attached (Appendix 1).
- 3.5 **Economic, financial and budget implications**

The Department of Treasury and Finance has been consulted. There are no economic, financial or budget implications arising from this proposal.

Staffing implications

No new staff required

3.6 **Impact on the community and the environment**

Impact on the community and environment are expected to be positive. The broader community will perceive a stronger commitment to conservation of threatened species by the South Australian Government. In general terms there may be benefits to marine biodiversity.

There will be no significant impact on small business. Syngnathids are not usually collected from the wild for the aquarium trade. One South Australia hatchery (Port Lincoln Sea Horse Farm) is permitted to collect a small number of animals for a captive breeding program. This will not be affected by the proposal.

There will be no regulatory impact.

No specific family or regional impacts have been identified.

3.7 Risk Management Strategy

The proposal is unlikely to attract any adverse publicity. The Port Lincoln Sea Horse Farm will be consulted and reassured that their permit will not be affected by this decision.

3.8 Consultation

Relevant agencies have been consulted in relation to impact statements and have advised that the statements are appropriate.

The Department for Environment and Heritage supports the proposal.

A public announcement was made by the Premier to protect the weedy sea dragons at a recent Community Cabinet public meeting.

3.9 Implementation Plan

Not required.

3.10 Communication Strategy

A media release will be issued following the Cabinet decision.

3.11 Executive Council

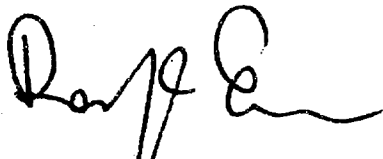
This proposal is not required to proceed to Her Excellency the Governor in Executive Council at this stage.

4 RECOMMENDATIONS

It is recommended that Cabinet:

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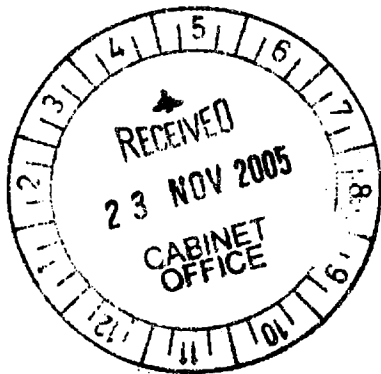
Hon Rory McEwen MP
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Date: 22 NOV 2005



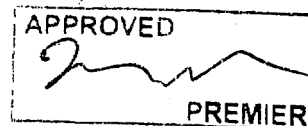
JOHN HILL
MINISTER FOR ENVIRONMENT AND CONSERVATION

Date: 16/11/05

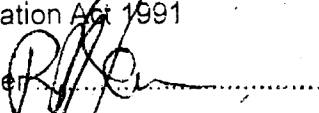


In Cabinet

5 DEC 2005



CERTIFIED as a document approved by Cabinet on 5/12/05 as a document to which access may be given under the *Freedom of Information Act 1991*

Signature of Minister 

Portfolio Agriculture, Food & Fisheries

DRAFTING INSTRUCTIONS

AMENDMENT TO FISHERIES (GENERAL) REGULATIONS 2000

Subregulation 6(c) – replace leafy sea dragon with “all species of the Family Syngnathidae”.