

Marine Parks Amendment (Moratorium) Bill 2011
10 August 2011

Agreement in Principle

Mr RICHARD TORBAY (Northern Tablelands) [4.13 p.m.]: I move:

That this bill be now agreed to in principle.

The Marine Parks Amendment (Moratorium) Bill was introduced in the other place by the Hon. Robert Brown of the Shooters and Fishers Party. It has passed the upper House with Government amendments. The bill was first introduced in the previous Parliament when the former Government was, as I am advised, supportive of the bill. I am similarly advised that at various public meetings and elsewhere the former Opposition expressed support for the idea of placing a moratorium on the blind creation of new marine parks. The former shadow Minister for Primary Industries, the Hon. Duncan Gay, travelled throughout New South Wales and indicated his strong support for the Shooters and Fishers Party moratorium on marine parks. The amending bill provides for a moratorium on the declaration of additional marine parks or the expansion of existing sanctuary zones, pending an independent scientific audit of zoning in marine parks.

The DEPUTY-SPEAKER (Mr Thomas George): Order! There is too much audible conversation in the Chamber. Members who wish to engage in conversation will leave the Chamber.

Mr RICHARD TORBAY: We could place a moratorium on conversations in the Chamber.

[Interruption]

No, I will not move an amendment. The independent audit will use scientific information as the basis for sound, evidence-based recommendations for marine parks, and will be overseen by an independent and highly qualified panel. During the audit, the Government will be unable to make a regulation that would extend the area within a marine park that comprises a sanctuary zone during the commencement period of the proposed Act. The Government moved an amendment in the other place that defines "moratorium period" in the Act as either five years from the commencement of the Marine Parks Amendment (Moratorium) Bill or another period that is linked to the completion of the audit. The Ministers responsible for marine parks will then recommend to the Governor the appropriate date for expiry of the moratorium period relating to the independent scientific audit, but only after the report of that audit and its recommendations have been properly considered, and the Government has provided a written response that is publicly available.

On receiving a recommendation from the Ministers, the Governor may then make an order ending the moratorium period. Much debate on marine parks occurred during the past couple of years. In the final term of the previous Parliament, the former Government released a review of two marine parks, the Jervis Bay Marine Park and the Solitary Islands Marine Park. Also in that period was the establishment and report of the Select Committee on Recreational Fishing. The Government's submission to the select committee contained a document entitled, "Marine Park Science in New South Wales: an Independent Review". This document made plain that zoning plan reviews should be informed by and carried out in accordance with recommendations of that paper. The Government adopted this suggestion and made 11 primary recommendations that were to be enacted. The scientific panel urged immediate changes to the research scope, methodologies and priority of the Marine Parks Authority

research program and plan. Among the recommendations noted as being of secondary importance, recommendation 7 stated:

Test the key assumptions involved in using ecosystems and habitat features as a surrogate for biodiversity per se as a priority over the next five years.

Reviews of the Solitary Islands and Jervis Bay marine parks were then undertaken, and changes were made to the zoning plans. While I am advised that stakeholders from the recreational fishing sector were not entirely happy with the Jervis Bay Marine Park zoning plan, generally there was broad agreement that the original marine park declaration had been carried out with a reasonable amount of public consultation. I am also informed that, out of all instances that witnesses brought to the attention of the select committee during the public hearings, Jervis Bay seemed to have the least number of problems, which was not the case with other declarations and reviews.

The current bill was introduced to the other place by the Hon. Robert Brown to take what was at that stage the political debate out of the marine parks issue and to allow a mechanism whereby the government of the day, regardless of its political persuasion, and the current Government now in relation to this bill, can put beyond all doubt that there needs to be a rest period in the creation of new marine parks and extension of sanctuary zones to allow proper scientific studies to take place. I am advised that the Government already has made its policy intentions clear regarding zoning in marine parks. As the Hon. Duncan Gay noted during debate on this bill in the other place, the intentions in relation to marine parks were set out in the New South Wales Liberal-Nationals Coalition recreational fishing policy. On being elected to Government, the Coalition immediately would commission an independent scientific audit of zoning in marine parks.

I am informed that the Government agrees a moratorium is necessary. However, the Government feels that the duration of the moratorium should fit the circumstances and that it would be counterproductive to provide for a moratorium for a set term only. A truly independent scientific audit is necessary to ensure that future decisions we make relating to marine parks are evidence based, and rely on the best possible information. In the introduction of the bill in the other place, members of the Shooters and Fishers Party stated that a moratorium would be a waste of time unless the Government makes significant amounts of money available to the bodies that have stewardship of those areas, which now come under Industry and Investment NSW, so that adequate research can be funded and carried out. They also stated that this work is now urgent.

I am similarly advised that the Government understands the gravity of the need for science in the review of all marine parks and certainty before the creation of any new marine parks. The representatives of the Shooters and Fishers Party also believe that fishers and fisheries management are important enough to have a stand-alone ministry, as was suggested by the Coalition before the last election. I would also support any moves for the Premier and the Government to include a Cabinet Minister for Fisheries. I am confident that they would have the support of the Shooters and Fishers Party and the Christian Democratic Party in the other place if they chose to take up that option. The bill similarly seeks to place a moratorium on

the creation of new marine parks and an extension of sanctuary zones until the independent scientific audit has been undertaken. The bill is straightforward, and I commend it to the House.

Debate adjourned on motion by Mr Daryl Maguire and set down as an order of the day for a future day.