

MARINE PARKS AMENDMENT (MORATORIUM) BILL 2013

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Bill introduced on motion by Ms Katrina Hodgkinson, read a first time and printed.**Second Reading**

Ms KATRINA HODGKINSON (Burrinjuck—Minister for Primary Industries, and Minister for Small Business) [12.55 p.m.]: I move:

That this bill be now read a second time.

The New South Wales Liberal-Nationals Government is taking a new approach to protecting the New South Wales marine estate. This comes after years of political interference by the previous Labor Government and decisions based on poorly understood or incomplete information. As a result the credibility of marine parks and the fishing industry has suffered. While an independent, scientific audit of marine parks in New South Wales was carried out a five-year moratorium was imposed in 2011 that prohibited the creation of additional marine parks, alteration or expansion of sanctuary zones and review of zoning plans.

Following the March 2011 election the Liberal-Nationals Government committed to immediately commissioning an independent scientific audit of marine parks in New South Wales. That audit was carried out by Professor Bob Beeton from the University of Queensland who is highly respected in the field of geography, planning and environmental management. The report was released in February 2012. The Government released its response to the audit in March 2013 supporting the principal recommendations, including the need for change. This independent audit was a direct response to the concerns expressed by stakeholders in relation to how the State's six marine parks were established and managed by the previous Labor Government.

This bill removes some of the restrictions put in place during the term of the moratorium such as reviews of zoning plans for marine parks. The preparation of review reports will once again be permitted under section 17D of the Marine Parks Act 1997. The moratorium will also be lifted to again permit the making of regulations under section 17B of the Marine Parks Act 1997, which alter the boundaries of sanctuary zones or classify new areas as sanctuary zones. However, the moratorium on the declaration of new marine parks will remain in place until further advice on this issue is received from the Marine Estate Expert Knowledge Panel.

The amendments to the Marine Parks Act 1997 will permit some initial reforms to marine park management as part of the Government's new integrated, adaptive and evidence-based approach to managing the entire New South Wales marine estate. Further reform may be adopted based on the expert advice from the Marine Estate Expert Knowledge Panel, chaired by Dr Andrew Stoeckel, and guidance from the authority, chaired by Dr Wendy Craik. This new approach was developed in response to the marine parks audit and will enable management of marine parks to align with a more integrated and holistic approach to managing the entire New South Wales marine estate.

I will provide some background on our marine parks. There are currently six marine parks in New South Wales located at Cape Byron in the north, Solitary Islands on the Coffs Coast, Port Stephens-Great Lakes in the Hunter region, Jervis Bay; Batemans on the South Coast

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and the unique waters surrounding Lord Howe Island. The first park was established in 1998. These marine parks cover around 345,000 hectares or almost 35 per cent of the New South Wales marine estate and include 6 per cent that is currently sanctuary zones. Marine parks are managed for the conservation of biodiversity. These parks and the marine estate are also iconic areas used and enjoyed by the community in many ways.

The balance between conservation and use is reflected in the objects of the Marine Parks Act 1997. Marine parks sustain our commercial fishing industry, which contributes a total of \$80 million annually to the New South Wales economy from wild caught species. Marine parks also sustain our recreational fishing community which injects more than \$550 million annually into the New South Wales economy. Many regional coastal communities benefit from recreational fishers. It is also a leisure pastime important to many and often passed down from generation to generation. They support Indigenous cultural practices and our coastal tourism industry including charter fishing, whale and dolphin watching, snorkelling and scuba diving.

Last Sunday I went out on a charter boat in Batemans Marine Park in the electorate of the Hon. Andrew Constance, the member for Bega. It was fascinating to see the seals surrounding Montague Island and to partake in some deep-sea fishing, wonderful activities for the many tourists who flock to our coastal areas every year. Marine parks are essential to our scientific research community and offer important education experiences to school groups, volunteers and the community. Of course, they support the New South Wales community more generally, including families who enjoy swimming, surfing and other leisure activities.

The objects of the bill are, firstly, to allow regulations to be made under the Act within the current five-year moratorium period to alter the areas of existing sanctuary zones or to classify areas as new sanctuary zones within marine parks. This will again allow changes to be made to sanctuary zones in marine parks where appropriate and in consultation with the community. That is in contrast to the previous Labor Government which declared marine parks with a wave of its wand, its decisions based on poor or incomplete science and made for political gain. Under this bill, any changes identified as a result of the recently announced assessment of recreational fishing access to beaches and headlands in marine park sanctuary zones can be put in place. This is consistent with the new approach, that is, management is based on a threat and risk assessment.

Secondly, the bill allows for reviews of zoning plans to be carried out at the direction of me as the Minister for Primary Industries and of my colleague the Hon. Robyn Parker as the Minister for the Environment. It is clear that the community expects marine park management to be reviewed and for this to be done in new and improved ways. In response to the marine parks audit, the Government committed to a common-sense marine parks policy and the development of a better approach to the way marine parks are reviewed. In our review of zones we will look at more effectively meeting social and economic objectives while continuing to conserve our important environmental assets. We will draw on best available science and knowledge to identify key threats, risks and mitigation strategies. We will promote multiple use and appropriate access, with restrictions on activity proportionate to risk. We will also improve stakeholder and public participation by promoting genuine and open consultation. The independent chair, Professor Bob Beeton, in his report clearly pointed out:

Stakeholder engagement and public participation is said to be a central concern to the marine park management-planning process. However there is a view that the way this has been done has been inadequate and often undertaken with predetermined outcomes in mind.

This alienation has been due to problems with the processes: "over-consulting" without clear outcomes; public participation processes being used as a proxy for social research; lack of quality input for the science to enable educated and informed engagement; and lack of transparency around why and how decisions have been made by not closing the feedback loop.

This clearly identifies how the significance of marine parks was undermined through the approach taken by the previous Government. We are deeply disturbed how this approach was taken. The Government also committed to better incorporating local Indigenous knowledge and developing a performance assessment system for marine parks. These amendments will allow for marine park zoning rules to be reviewed so that marine parks are managed efficiently and effectively, the way our stakeholders expect. Thirdly, the bill permits the authority to conduct reviews of or take other action in relation to zoning plans for marine parks during the moratorium period.

This will allow the Government to take action and get on with doing what it said it would do in response to the marine parks audit. The bill does not alter the moratorium on declaring new marine parks. The Government remains committed to the prohibition on creating new marine parks, subject to advice from the marine estate expert knowledge panel. The nominations for the four other members of the independent marine estate expert knowledge panel are currently under consideration. The successful candidates will sit alongside the chair, Dr Andrew Stoeckel.

These members were identified through a competitive and open process, which shows just how rigorous the Liberals-Nationals Government is in choosing the right people for the job. The nominated members have been chosen to provide the best mix of skills and knowledge across ecological, economic and social science disciplines and to provide essential expert advice to the Marine Estate Management Authority. This advice will be crucial to support evidence-based decision-making, to guide threat and risk assessments and to address key knowledge gaps. The expert knowledge panel will report directly to the Marine Estate Management Authority. A key aspect of the expert knowledge panel is its ability draw on other experts to make sure we have the best people informing better management of the marine estate.

The Government is committed to reducing red tape for industry, stakeholders and the community. These amendments to the Marine Parks Act 1997 will allow the Government to start the review process in the move toward a single, simpler, statutory management plan for each marine park. This will be part of broader changes to the regulation of the marine estate which are being developed and will be the subject of another bill. The threat and risk assessment model recommended by the audit panel was developed as a result of extensive

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consultation by the audit panel through workshops, interviews and submissions. To ensure this was a rigorous and transparent process, a further opportunity was provided to the public to make comment in relation to the audit panel's recommendations. Those comments directly influenced the development of the Government's response and new approach to how the New South Wales marine estate, including the State's six marine parks, will be managed in the future.

In summary, this bill repeals two aspects of the current moratorium so that once again marine park zoning plans can be reviewed and, where appropriate, changes can be made to sanctuary zones. This will allow the Government to apply a new consultative and evidence-based approach, taking politics out of the issue, to deliver better balanced outcomes for all stakeholders. This is one of the first steps towards improving management parks, one component of the marine estate, which is one of our greatest natural assets. This holistic, new approach of our marine estate reforms will deliver long-term benefits to New South Wales, its people, its regions and its industries, bringing science back to the heart of all decisions. This significant piece of work distinguishes the Liberal-Nationals Government from the previous Government. Our vision is for a clean, safe, healthy and productive marine estate that can be enjoyed, valued and sustainably managed now and well into the future. I commend the bill to the House.

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