

MARINE PARKS AMENDMENT BILL 2007

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Second Reading

The Hon. PENNY SHARPE (Parliamentary Secretary) [6.20 p.m.], on behalf of the Hon. Ian Macdonald: I move:
That this bill be now read a second time.

I seek leave to have my second reading speech incorporated into *Hansard*.

Leave granted.

New South Wales has a comprehensive, world-class system of marine parks that play a crucial role in protecting our precious marine life for generations to come. Covering more than 345,000 hectares, or a third of the New South Wales coastline, our six marine parks are without doubt one of the Government's finest environmental achievements.

Our marine parks protect wonderful examples of the rich, varied and unique marine biodiversity of New South Wales. They include and protect estuarine and oceanic ecosystems, particular habitats such as rocky shores and reefs, sandy beaches and seafloor areas, island waters and seagrass beds, and the entire range of marine life that depends on them. Importantly, marine parks also provide for a variety of ongoing sustainable activities such as tourism, fishing, boating, diving, and dolphin and whale watching.

At present there is no practical mechanism in place to review and amend the zoning plans that are the key management tool for marine parks. The purpose of the bill, therefore, is to establish a clear, transparent process to carry out these reviews. Specifically, the bill will ensure that zoning plan reviews for each park will happen after the first five years of operation of the plan, and then every 10 years after that.

The initial review at five years will enable fine tuning of zoning plans, while the subsequent 10-year periods will allow enough time to observe the ecological impact of the various zones within each park. I emphasise that having reviews every 10 years after the initial five-year reviews is also aimed at providing certainty for businesses, fishers and local communities.

I am aware that small parts of some communities have been initially reluctant to embrace marine parks. It is clear, however, that after only a few years we find that the benefits, both environmental and economic, start to flow to local communities and are more widely recognised. We know from a recent independent survey that 87% of people in the Coffs Harbour, Bellingen Valley and Clarence Valley community support conservation of the Solitary Islands Marine Park and 80% of the 407 people surveyed in this region support sanctuary zones in the marine park.

Similarly, for Jervis Bay Marine Park we know from a recent survey that 84% of people in the Shoalhaven area support the conservation of Jervis Bay Marine Park and 82% of the 402 people surveyed in the Shoalhaven support sanctuary zones in the park. I am confident that this review process will provide communities with a clear opportunity to express their opinion and local businesses, and other interested people will gain some surety about the future of our parks.

The bill will ensure that reviews focus on the effectiveness of current zoning plans. A review report will be developed with advice from the local marine park advisory committee to help determine whether amendments are required. The Government will ensure that at least two months of public consultation occurs during the development of a review report.

Proposed amendments to zoning plans, if any, will be subject to a three-month consultation period—the same period that applies to the development of the initial zoning plan. It should be noted that the bill allows limited scope for the relevant Ministers to make changes to zoning plans outside a review period if necessary. The bill provides some examples of where this might be necessary, such as accommodating a critical habitat declaration, or implementing a recovery plan made under the Fisheries Management Act. The bill requires that the community is consulted on amendments made outside the review period for a minimum of three months, except if amendments are minor or made for reasons provided in the bill.

The bill also streamlines the development and adoption of operational plans. An operational plan supports the implementation of a zoning plan by guiding research and monitoring, community education, compliance and other day-to-day operations within a marine park. It is anticipated that under the proposed amendments operational plans will become flexible but detailed local work plans for each marine park. Local advisory committees will have at least 28 days to comment on an operational plan and the Marine Parks Authority will have to consider these comments in finalising the plan.

The bill makes several other minor changes to support the management of marine parks. First, the bill introduces the power to regulate the use of aircraft over marine parks. This is in addition to the current power to regulate aircraft, such as seaplanes, landing in marine parks. While it is not envisaged that this power will be needed in the short term, it is conceivable that low-flying recreational aircraft may pose an environmental problem in the future.

Second, the bill clarifies that mining, which is banned in marine parks, does not include sand extraction provided it is for the purposes of beach nourishment. It also retains the ability to regulate such activities in marine parks generally through zoning plans or specific regulations.

Third, the bill increases the maximum level of penalties that may be imposed by the marine parks regulation from 100 penalty units to 200 penalty units to bring them into line with similar penalties in the Protection of the Environment Operations Act 1997. It also provides the ability to regulate the possession of plants or animals taken from marine parks.

Finally, the bill clarifies that the role of the Marine Parks Advisory Council is to consider marine park matters from a statewide perspective, while the local marine park advisory committees are to focus on local matters for their particular marine park.

All of these changes will help our marine park managers and other dedicated staff manage our marine parks more effectively. They also expressly provide for a clear, open review system so that everyone can have their say.

I commend the bill to the House.