

The Hon Robert Brown MLC
Chairman, Select Committee on Recreational Fishing

Dear Chairman,

Re the Transcript of my evidence to the Inquiry

I had been told immediately after I gave evidence to the Inquiry (27/4/2010) that I would be sent an 'uncorrected' transcript for correction of any transcription errors. I have not received such a document so I have accessed the version that is available on the Parliamentary website. My comments are below.

The transcript is largely very accurate. There is a small number of minor editorial inconsistencies that I do not think require correction as they do not change the substance of the comments. However, there are two errors that may be of significance and it appears I may have slightly misinterpreted one question. Accordingly I have detailed the two transcription errors below, followed by some additional explanation on the question that I may not have answered adequately.

Page 13 para 3, 2nd last line: "red mulloway" should be "red morwong"

Page 19 last para, 2nd line "fish enclosures" should be "fishing closures"

The only question to which I think my answer may need clarification is the one by Mr Ian Cohen in which he asks, *"In light of recent information provided to the Parliament by the Department of Environment, Climate Change and Water that recent testing shows that pollution is in fact not having a significant impact on estuarine and coastal waters that flow into marine parks, can you explain the basis for your opinion as stated in your submission? Are you standing by the fact that the department's science is completely faltered?"* A detailed explanation of my steadfast adherence to my statement on the abuse of the principles of science by the Department in the justification for the creation of the parks and the zoning arrangements therein is contained in my letter of May 19, 2010 to the Director General of the Department. I have already copied that letter to you as Chairman of this Parliamentary Inquiry. I trust that letter provides all the information Mr Cohen requires however, if he, or any other member of your Inquiry, would like further comment from me on this matter I would be pleased to provide same.

I remain uncertain of the relationship between my concerns about the poor science that was used to justify the creation of the parks and Mr Cohen's comment, *"that pollution is in fact not having a significant impact on estuarine and coastal waters that flow into marine parks"* and how this relates to the second part of Mr Cohen's question, *"You have made some accusations about that being a primary issue, have you not?"*. It is apparent from my answer to this question that I may have misunderstood the question and indeed, I am still not sure I understand it properly.

However, in order to clarify my response for Mr Cohen I will elaborate a little on the points I made.

The 'accusations' I made were in relation to the 'science' used by the Department for the creation of the parks as detailed in my letter of May 19 referred to above. I did also state in the documents that were attached to my submission that the major threats to the State's coastal ecosystems and biodiversity were pollution in many forms, inappropriate coastal development and introduced species. There is general agreement that these are the major threats and they are not simply 'accusations' of mine, so I am a little worried that I may be misinterpreting Mr Cohen's question. My apologies to him if this is still the case. However, elaboration on my response to the question as I have interpreted it is as follows:

It is imperative for the proper conservation and restoration of our aquatic ecosystems that the major threats are addressed across the whole of the State and not just in marine parks; even the Government admits that 60% of our coastal wetlands have been lost. The trend must be reversed. One of my primary concerns with the current system of marine parks is that they are a grossly inadequate conservation measure to deal with the real threats. If all the major threats are not addressed it is not just the ecosystems in areas outside the marine parks, that constitute the majority of the State's waters, that will continue to be damaged or lost but those within the parks as well. (My elaboration on this point is also relevant to the question from the Hon Christine Robertson in relation to my desire to have the best possible protection across the whole of the State and not just fishing closures in marine parks). Marine systems are extraordinarily inter-connected and the flow of pollution or the spread of an introduced species is not constrained by most man-made boundaries and particularly not by those that are little more than lines on the water that demark fishing regulations. In marine environments area restrictions, even on more obvious threats such as mining, are remarkably ineffective compared to area management in terrestrial environments. The current devastating oil spill in the Gulf of Mexico is an obvious example of the ineffectiveness of lines on the water for limiting the geographic extent of pollution: most marine parks offer very little if any protection from pollution and many other threats that originate outside their boundaries. In order to properly protect this State's aquatic environments, including even those that may be given higher priorities than others and/or included in 'sanctuary zones', all major threats need to be properly identified and addressed at their source, not just in the area that is designated for special 'protection'.

I am not for one moment suggesting that it is not a relative advantage for the marine parks that the water that flows into them is of a higher quality than that across the State more generally. But two major points must be made. First, the management measures and/or natural protection that have resulted in the relatively higher water quality in some areas are not generally the result of the creation of the parks. This also highlights the probability that the most cost-effective 'protection' of the State's waterways, and even of the areas designated as marine parks, will most often come from activities outside the area that is affected. In reality the marine park itself is clearly an inadequate conservation measure and when activities within the park are largely limited to blanket restrictions on fishing, it is not even an appropriate contributor to the management of any of the significant threats. Once again, if NSW is to have cost-effective protection of our precious coastal ecosystems the specific

threats to each area and circumstance need to be properly identified before adequate and appropriate management measures are determined. The public must not be continually given deliberately exaggerated expectations of the benefits from marine parks, such as that they will in themselves preserve the future (for example, Assistant Minister Verity Firth, Northern Star 20/10/07). Second, the Department of the Environment's responsibility is to all of the State's aquatic ecosystems. The fact that there are some areas, no matter how 'representative' those areas may be, where water quality is better than others must not be used to diminish that responsibility. Marine parks that may contain representative samples of biodiversity but which do not provide proper protection of that biodiversity must not be falsely claimed to be an adequate or appropriate response to the State's rapidly deteriorating aquatic ecosystems.

Yours sincerely

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