

MARINE PARKS BILL 2007

Thursday, 13 September 2007

The Hon. D.G.E. HOOD: I rise to speak to the second reading of this bill, on behalf of FAMILY FIRST.

Mr President, this bill marks the end of an era – an era in which fishermen were free to stand on any shoreline with a rod and reel and cast a line into the breaking waters. The days are gone where a dad and his son were free to push off from the shore in a dingy, without a care in the world.

Mr President, the laidback days are gone where a man can get away from the world by jumping into a boat to go fishing.

This sorry bill says that this golden era has now passed, to be replaced by a government agency carving up patches of water where we can't take an ordinary fishing line. In the world of this bill, recreational fishers are constantly looking over their shoulders for the 'water rats' – always nervous about whether or not they have crossed some imaginary line in the sea.

Mr President, I believe that that is tremendously sad. It's a sad day when a dad can be fined for taking his son fishing. For that reason, FAMILY FIRST is opposed to this piece of legislation to establish Marine Parks as it currently stands – and will continue to be a strong supporter of the cause of recreational fishers.

Further, FAMILY FIRST will propose an amendment to grant recreational fishers the right to use a simple rod and reel within these zones and from the shores of these zones.

Similar to legislation now in the other states, this piece of legislation paves the way for several dozen Sanctuary Zones to be regulated within 19 separate Marine Parks in our oceans and waterways. Fishing in these zones with a rod and reel will be prohibited. Fishing from the beach into Sanctuary Zones will

also be prohibited. Breaching the provisions carries a maximum \$100,000 fine or imprisonment for 2 years.

The concept of 19 marine parks can be found in the State strategic plan, and has its origin in recommendations made at conferences such as the 5th World Parks Congress in Durban. But, Mr President, I begin by asking what use is a park that no one ever visits?

The Durban plan envisage large numbers of South Australians going some distance out onto the water to look at a patch of ocean. I strongly reject that argument. I believe that vast majority of South Australians will only ever visit and enjoy these parks if they're allowed to take a rod and reel with them.

The fact is that most South Australian families enjoy our seas by putting out a boat with a fishing line over the side. Quite often, nothing is caught – but the anticipation and thrill of fishing makes the voyage worthwhile. For some families, putting a line over the side is just the excuse for the voyage and the visit to our marine wilderness.

The idea that our small snorkelling and scuba diving industry will replace our vast recreational fishing industry strikes me as nonsense.

Let me be clear – this is not a fisheries protection bill. This bill is not designed primarily to protect our fish supplies, and the government acknowledges this. South Australia already has a remarkably low level of fishing pressure overall. Australia has the third largest fishery zone in the world. Our coastline is about 8 times longer than that of Thailand and Vietnam, and our Exclusive Economic Zone is 21 times that of Thailand and 15 times that of Vietnam. Yet, Thailand's wild caught fish harvest is 12 times Australia's and Vietnam's is 8 times ours. Despite its smaller area, New Zealand's total fishery production is twice ours. Bangladesh's production, believe it or not, of wild caught fish is four times ours.

From six percent of the global Exclusive Economic Zone, Mr President, we produce just 0.2 percent of the world's catch.

We already have size limits, bag limits, boat limits, closed seasons and no take species. Legislation already exists to protect 15 separate marine resources, including Aldinga and Port Noarlunga Aquatic Reserves, Point Labatt, American River, Seal Bay and the Great Australian Bight Marine Park.

The Minister will quite readily admit that we already have some of what she terms the 'best managed' fisheries in the world. Our waters are some of the most pristine in the world, not because of good management, Mr President, but rather because they are some of the most lightly fished and heavily regulated in the world – or, as one commentator puts it:

(quote) "one of the least productive, most heavily regulated and expensively administered fishery sectors in the world" (end quote).

From FAMILY FIRST's perspective, it is nothing less than a crime that we import 70% of our domestic seafood consumption. These unnecessary imports cost our economy \$1.8 billion per year.

So let me repeat again, this bill is nothing to do with protecting our environment from over-fishing. If it was, FAMILY FIRST would have supported it, and supported it wholeheartedly.

I do acknowledge that the South Australian Fisheries Resources Status and Trends report for 2006 did nominate four specific fish stock of 21 whose numbers were depleted – and these specific fish do need protection. FAMILY FIRST does not argue about that. We do not oppose the idea of banning net fishing in certain areas – net fishing is regarded as high impact. However, the proportional take from recreational hook and line fishing is almost negligible.

This bill was designed not to protect fish stock but to set aside certain areas in which it is hoped that the ecosystem will remain untouched. The fact that fish will swim in and out of Marine Parks with impunity is ignored. Tuna, for example, can migrate over 12,000 kilometres. Even deep water lobsters can travel up to 360 kilometres. The idea that certain fish species can be preserved by moving a recreational fisher a few kilometres away to outside of

an imaginary boundary does not make sense – and the Minister does not make that argument.

FAMILY FIRST is concerned that a complete ban on fishing in areas of Marine Parks will only put pressure on other areas. That's a finding of a recent University of Tasmania report, which highlighted decreased rock lobster yields outside their MPAs. The District Council of Grant also points to research which shows that the establishment of the Great Australian Bight Marine Park has directly led to the loss of 90 tonnes of lobster valued at \$3.4 million and the loss of an estimated 76 jobs.

The impact on jobs is concerning. FAMILY FIRST has discussed this issue with Mark Cant at the Eyre Regional Development Board and obtained a copy of their Econsearch report, which shows a worst case scenario of more than 1000 jobs being lost due to this legislation and \$170 million in State revenue being forfeited. 605 jobs lost in the commercial fishing industry and 488 jobs lost in marine-based aquaculture. The best case scenario, estimating only a 5 per cent reduction in economic activity, still sees 151 job losses in the commercial fishing industry and 122 lost in the aquaculture industry. Mr President, I find those numbers deeply troubling.

A recent issue of Marine Business magazine contained a review of MPA legislation by marine biologist Dr Walter Starck. He noted that:

(quote) "the establishment of extensive MPAs amounts to large scale environmental meddling with no clear idea of efficacy or consequences ... having important decisions based on unverifiable claims, un-examinable models, unknown methods and inaccessible data simply isn't good enough" (end quote).

In the second reading, the Minister pointed to surveys of citizens who were in favour of creating Marine Parks. However, I ask where the science is to justify their creation. No science was mentioned to justify the park's creation – only the McGregor Tan Research poll results.

I also ask the Minister to explain during committee whether ordinary mum and dad recreational fishers, who stray into a Marine Sanctuary zone, can now end up with a criminal record – as occurs already in Queensland?

Since Green Zones on the Barrier Reef were expanded several years ago, some 300 people have now been charged with fishing within them. An unbelievable 98 percent of those caught had an otherwise clean criminal record.

This bill makes the ordinary recreational fisher a criminal for not being in possession of expensive GPS equipment – and punished for accidentally crossing an imaginary boundary in the sea.

This bill also carries with it high monitoring costs, and I note the Minister's second reading in which it was noted that:

(quote) "We do not want to create a system of 'paper parks'. Accordingly, the bill provides for the appointment of authorised officers to inform and educate the community as well as undertake the necessary enforcement and compliance activities" (end quote).

Again, I ask the Minister what costs are envisaged in enforcing this bill – how many of these 'water rats' will be required to police our vast oceans, and how much will they cost?

Mr President, 320,000 South Australian's fish at least once per year and five million Australians regularly fish for recreation and sport. This means that one in every four Australians enjoys fishing and one in every two Australian households owns fishing tackle. The National Code of Practice for Recreational and Sport Fishing is a voluntary agreement endorsed by 11 national and state fishing associations. The code of practice promotes sensible fishing practices – such as prevention of pollution and removal of rubbish from waterways, rules regarding sensible anchoring, reporting of environmental damage, and quickly and correctly returning unwanted or illegal catch to the water. These people are not criminals.

When considering the submissions received regarding this bill, it is remarkable that every single submission received was critical – from the environmental lobby sector, from commercial, to recreational fishers, and to local government associations. FAMILY FIRST has consulted with the Wilderness Society regarding this legislation – and even they have prepared a 13 page report critical of the bill. The fact that all stakeholders seem unsatisfied with this legislation tells of a failure of the community consultation process.

An ABC story from November last year repeated a claim that the Government was “just going through the motions of consulting the community”. FAMILY FIRST has spoken to a wide number of stakeholders, who repeated that constant theme.

In an almost unheard of move last Friday, fourteen South Australian fishing groups, and these are groups across the spectrum, joined forces to prepare a statement critical of the consultation process and other aspects of this bill. As I understand it, they have only ever come together in such a fashion once before – regarding the Encounter Marine Park. Mr President, I’ll read from their joint statement of the Aquaculture Council, SAFIC, SARLAC, the Seafood Council, Abalone Industry Council, Marine Scale Sardine Industry, SA Blue Crab Pot Fishers, Survey Charter Boats Association, Spencer Gulf and West Coast Prawn Fishermen, Eyre Regional Development Board, Seafood Processors, SA Oyster Growers, Marine Fishers, and the SA Recreational Fishing Advisory Council. They note that,

(quote) “The content of the revised SA Marine Parks Bill as tabled in Parliament, June 2007, makes obvious that issues and comments submitted in relation to the draft Bill by the seafood industry and a number of other groups, including conservation and recreation bodies, have been largely disregarded” (end quote).

I acknowledge that Local Councils, and in particular the District Council of Grant, have made a similar complaint to us. The complaint dealt with the quality of consultation, rather than the quantity of it. Despite 16 public

meetings and 162 written submissions, every single stakeholder that FAMILY FIRST has spoken to complained about the process – and said that the ‘consultation’ process involved nothing more than the constituents being told what had already been decided.

Two key requests made by most of these groups are, first, a legislative mechanism that directs stakeholder engagement – with the formation of an advisory group similar to the Fisheries Council as exists for the Fisheries Management Act and the National Parks Council as exists for our National Parks. Second, improved compensation provisions (in cases where we might have, for example, a Marine Park established off the shore from a bait and tackle shop). The compensation promises mentioned in the Minister’s second reading appear to be discretionary only – which is unacceptable.

The Hon Ms Schaefer has comprehensively dealt with these two concerns and has foreshadowed Liberal Party amendments. FAMILY FIRST will look favourably on those amendments, as resolving a number of complaints we have heard from stakeholders time and again.

In conclusion, FAMILY FIRST has serious concerns about this piece of legislation. We will look favourably on the Liberal amendments which assist the fishing industry, and introduce our own amendments to protect the rights of recreational fishers.