

**RESERVES (MARMION MARINE PARK) BILL 2019**

*Second Reading*

Resumed from an earlier stage of the sitting.

**HON DR STEVE THOMAS (South West)** [5.14 pm]: Honourable members will of course be enthused to know that we have a little way to go over some of the detail involved in the excision of a section of the Marmion Marine Park reserve to make way for the Ocean Reef marina. Just before we were interrupted, I was discussing the need for a compensation package to ensure that commercial fishers who are impacted are compensated in an adequate manner. I want to make this point before I move on from that topic. My understanding is that the construction of Hillarys marina also had a significant impact on the reef and abalone stocks, as did the water heatwave incidents of recent years, but I understand that the Hillarys marina process went through without a significant compensation package. I am interested in whether we have any history on that, but given that this will have multiple impacts, the question is not necessarily, “Are we required to find out whether there was?”; it is just an indication that the package required for this marina proposal should be taken seriously. I am sure the minister will outline the government’s intent to do so in due course.

With those remarks, I think we can progress from the compensation component to the second half of the required government response to the impact on the reef itself, which has, I have to say, some quite promising opportunities for research in, let us call it, “semi-wild aquaculture”. According to the briefings we received, one of the responses to the destruction of this piece of reef and abalone habitat will be some investment in both the relocation of abalone and the creation of artificial reefs. I will give some of the details that have been provided. The government intends to relocate around 100 000 individual abalone from the areas of impact into other parts of the metropolitan fishery. It is also looking at creating artificial reefs to enhance the abalone habitat and I believe it will look at modules; it will be interesting to see what kind of modules are being looked at. The government is also looking at the release of some hatchery-reared juvenile abalone, at least a couple of hundred thousand, possibly, depending on funding. I am interested in running through that in a little more detail.

We are breeding and producing abalone in an artificial setting in the south west. Ocean Grown Abalone, based out of Augusta, does a remarkable job of rearing abalone and it is now looking at expanding its operations to Esperance. The future for aquaculture is incredibly interesting. There is enormous opportunity to expand effectively what is a natural and harvestable product and improve or increase its numbers to the point at which an additional marketplace could be built. This is a really positive approach by the government. I am pleased to see that the government has engaged in this and it will probably have the opportunity to piggyback perhaps a little on Brad Adams’ Ocean Grown Abalone technology. It works on basically a concrete pyramid in which abalone is seeded and it grows to a harvestable size. I would assume that what the government is proposing will end up being a mixture of seeding on fairly equivalent structures. I believe that in the briefing it called those “modules”. Exactly what a module is, I am a little interested to know. I would also assume that there is the chance to seed abalone into a more natural rock-based habitat, although I understand that the success rates of that are perhaps more variable. I would be interested to see how that progresses over time, because I think that is a good response. Ultimately, I guess the question will be whether that is successful, and how large a response that can be. In the early stages it is obviously not going to replace the abalone that will be taken out of the fishery through the process of developing Ocean Reef marina and there will be a shortfall; thus, we have talked about the important compensation package to date, which we hope will take care of those initial impacts.

There is significant opportunity here. I am pleased to see the government getting involved in this process. I would be interested to see what the budget looks like. Could the minister respond with a little bit more detail on exactly what is to be set aside in the budget for that process and whether there is potentially an opportunity in the future to expand it? Obviously, we would expect commercial industry to be involved in major expansions, but there may be some opportunity for government to try to mitigate the entire 146-hectare exclusion area—the nine tonnes of abalone that will effectively be removed. That is a pretty big undertaking, but it is not impossible. The industry and government combined might look at that. I am interested to see whether the minister can give us a little bit more detail on precisely what that will look like and whether there is potential to expand a bit further. I commend the government on the introduction of that part of the policy. That has shown a bit of lateral thinking and, with a bit more investment, the potential outcomes of that might be even bigger than everybody is counting on.

I would like to move back to the slightly more contentious nature of the proposal. The Liberal Party supports the bill, the intention of the government and the development of the project, despite the fact that it will have an environmental impact. I like the last bit; that is, the government is trying to offset some of the impact. It is perhaps not entirely environmental; it is trying to offset some of the commercial impacts as well. It is at least an attempt by the government to offset, as the previous government was going to do with the 90 hectares of land that was to go under Roe 8 with a significant increase in offsets.

It has been put to me on several occasions, particularly by the abalone industry and the fishing industry, that there is potential to shift this project. The expansion of the Ocean Reef marina will go to the north. The proposal was to flip that and take it to the south because it would theoretically have a smaller impact on the reef and the abalone catch in particular. I have spent some time looking at this. I think it behoves us in opposition to make sure that we have looked at all of the possibilities. As I said in my introductory remarks, one of the problems is that the regulators in the approvals process have not looked at any alternative proposals bar the one that has been put forward by this government and the previous government, bearing in mind this got serious back in 2014. Nobody has really looked at it. We have done the best we can to try to find out how feasible it would be to flip this project and shift it to the south. Based on as much information as we can gather, it would appear that flipping the project to the south would be a difficult process, even without taking into consideration the years or decades of delay that this would cause the project. We need to assume some fairly simple things at the start. Whether the new part of the development runs to the north or the south, there will be an impact on the reef. There is no option that would not have an environmental impact on the reef. There is no option either north or south that will not require dredging and other actions that would have a silt impact on the reef itself, the surrounding areas, and the seagrass. There are seagrass extensions in both areas.

I do not think we can say with any great degree of certainty that there would be a lesser impact on the north or the south. Some information that was provided to the Appeals Convenor was provided to us through the various briefings that we received. I thank the Minister for Environment and his office for the various briefings that were provided. They were very useful. I was provided with some information about the flipping of this project to the south. The review from Strategen Environmental suggested that environmental impacts would be higher in the south. I noted this point: seagrass communities would be significantly more impacted if the marina were constructed to the south of the existing boat harbour. There would be a greater impact on Mullaloo Beach, which, again, I accept, although that is perhaps as much a social impact as an environmental one. Perhaps the greatest issue about flipping the project to the south is not so much about the marine environment it will go into, because there will be an environmental impact north or south, but the cost to be paid. The piper will be paid no matter in which direction the tail of this development will go. If we are going to pay that environmental cost, we need to make sure it is worthwhile. It would appear to me, having looked at the area, that the potential for development on an equivalent sized area to the north far exceeds that to the south. The terrestrial landscape, for a number of reasons, including the geology, makes the equivalent area to the south much more problematic. If we are going to sacrifice 143 hectares of class A marine reserve and all the environment that goes along with that, my view is we need to make sure that we get the absolute best bang for our buck. Having looked at the site, there is no doubt that the northern site provides a better outcome for development than the southern site. Unfortunately, I cannot assure the house that I think the environmental impacts are significantly less in the north than they are in the south. My gut feeling is that there will probably be similar impacts. There will be an impact on wave patterns and sand movement in both directions. Having looked at this, my view is that moving the project to the south is likely to have a bigger impact on sand movement around Mullaloo Beach, which I think has not so much an environmental as a social value, so perhaps that is an additional consideration that the house should take on board. Unfortunately, I do not think that shifting it to the south would give an equivalent response to the environmental damage.

I consider myself a staunch environmentalist. None of us likes any environmental damage, but we accept that the only way to have zero environmental damage is probably to depopulate. That is a fairly radical response to the environmental question. We have to accept that there will be some environmental impacts. As I say, it will be half the impact of Roe 8, so that is not too bad, really. I think the focus needs to be on getting the best result for the environmental impact that we make, and getting the best result for those people whose livelihood depends upon the fishery that is impacted by this process. There are three pillars: the proper, fair and just compensation package; the adjustment for potential damage around silting and dredging; and perhaps advancing the review process if that package is not adequate. I think those three pillars for the management of that fishery are critical to being able to assure the community that we are doing the best thing by it.

I am a pragmatist. I think that if we do environmental damage, which we do on occasions, we have to acknowledge that. I certainly will not pretend that there is none; there certainly is. There is a cost; there is always a cost. As anyone who argues with their spouse knows, there is always a cost! In this case, there will be a cost, but it is a cost for a pretty big outcome. It is supported by the community and it is supported by industry in the region. The local government has been pushing this for a long time now. It is supported by the current government and it was a commitment of the previous government. I do not think it would do anybody any good to oppose it, notwithstanding the environmental damage that we accept. On that basis, we support the bill.

**HON ALISON XAMON (North Metropolitan)** [5.30 pm]: I rise to speak on the Reserves (Marmion Marine Park) Bill 2019, which of course is one of the steps towards creating the Ocean Reef marina. I have spoken about this issue on quite a number of occasions since I took my seat in this place as the member for North Metropolitan Region. A number of issues that will arise from the establishment of this particular marina will have significant impacts on

the environment, as has just been stated. I recognise that the proposal to establish the marina is a very popular one with residents within my electorate for a whole range of reasons, which is why it became a bit of a bidding war at the last state election between the Liberal–National coalition and the Labor Party about who could build it first and who could spend the most money on it. It has been anticipated by the local community, but it is important that we recognise that it will not be without significant environmental cost, and that is of concern to me and the Greens.

The bill is fairly small. The purpose of it is simply to excise just over 143 hectares of Marmion Marine Park. That is obviously to enable the development of the Ocean Reef marina, which is intended to include 565 boat pens, although I note that environmental approval has been granted for up to 700 boat pens; 200 boat stackers; 1 000 new homes and 12 000 square metres of retail space. It certainly has been touted as an opportunity for people living within my electorate, particularly in the northern part of my electorate, to have some sort of commercial benefit. However, the bill does not address a whole range of other issues. It addresses only the requirements to allow the waterside element of the proposed marine development in a class A reserve, and I want members to be mindful of that. The bill does not address the landside elements, noting that the land part has concurrently gone through a negotiated planning outcome process. That had to be done because it is a Bush Forever site.

The proposed marina has quite a long history. Marmion Marine Park was approved in 1984 and formally established in 1987. It was Western Australia's first marine park. It covers about 10 500 hectares from Trigg Island to Burns Beach and out past the edge of Three Mile Reef, Marmion Reef and Centaur Reef. The idea of expanding Ocean Reef Boat Harbour has also been around for about 30 years. As I said, the development has wide community support, particularly in the beachside northern suburbs, but there are enormous environmental concerns, just as there were when developing the Mindarie marina and Hillarys Boat Harbour. Hillarys Boat Harbour has 475 public berths and 260 berths for Hillarys Yacht Club, so there will be roughly the same amount of boat storage. At the time that Hillarys Boat Harbour, which was then Sorrento Quay, was built, the Department of Transport believed that the cost of the Ocean Reef marina development would be up to 80 per cent more than the cost of Hillarys Boat Harbour. It was recognised that a much larger breakwater would be needed, and that meant that more stone and harder armour rock would be required. It was considered that it would be less safe for smaller boats. It was recognised at the time that the ecological impacts would be far worse than those that occurred at Hillarys.

This bill is before us now simply because the ecological impacts of building a marina development are effectively inimical to the purpose of a class A reserve. Rather than proposing an alternative location for the marina, it has been proposed to change the boundaries of the marine park. Broadly, this is one of the biggest issues that the Greens have with the way that our conservation systems are managed. Far too often, high-value conservation areas are treated as though they are land banks. Rather than enhancing the environmental values, we tend to simply wait for a better economic opportunity to arise. I am really concerned—I have been saying this for a decade—that we are seeing a death-by-a-thousand-cuts approach to many of Perth's precious places, and I do not see any end in sight to that approach while we continue to push the city's footprint, particularly outwards, and continue to encroach on those areas that we have apparently attempted to ring-fence as precious and worthy of ecological protection.

The construction site will require the destruction of a substantial amount of the inshore reef of Marmion Marine Park. The professional Abalone Industry Association of WA, which I have met with and on whose behalf I asked a number of questions early on in my term, estimates that approximately 18 per cent will be destroyed. It has some pretty grave concerns about the impact on the productive reef to the north of the marina. The landside elements will also require the destruction of almost 17 hectares of Bush Forever site 325, and I will talk about that a little more in a moment.

One of the great concerns about the marina development that has already been touched on is the impact on abalone stocks in the area. The marina construction will take place on part of the three-and-a-half-kilometre reef that currently comprises about 40 per cent of the metropolitan abalone stocks. The expectation of the marina's impact on this reef will be that 5.8 hectares will be directly impacted, and that is the reef under the marina breakwater, and that 6.6 hectares will be indirectly impacted, and that is the reef up to 70 metres north of the development footprint. These figures are deemed to be suspect by abalone fishers. They have explained this to me in detail, but their experience of previous marina and harbour builds along this coast is that there has been a much more substantial impact on local abalone stocks. We need to listen to what they are saying and we need to be mindful of their experience of what happened with the development of the other marinas. Their historical perspective includes the complete collapse of abalone stocks along the 700 metres of reef to the north of the Two Rocks marina. This area now has some recreational fishing, but there is no longer any commercial fishing around that area. The pre and post-build experience of commercial fishers is that there was a drop in abalone catch of significant magnitude when Ocean Reef Boat Harbour was built.

The abalone fishers also saw a far greater impact on the reef to the north of Mindarie Keys than was anticipated in the environmental impact assessment for that project. The degree of the drop was not fully anticipated. The anticipated impact was for about 200 metres of the one-kilometre reef, but the impact experienced by the abalone fishers was that the entire kilometre of reef became no longer sustainable for commercial fishing. We should be very concerned about that. This on-the-ground experience is not reflected in the overall numbers collected by the Department of Primary Industries and Regional Development. It is largely due to the differences in scale. The

abalone fishers are discussing individual reefs, now, by the tens of metres, but the fisheries data is kept at a much larger scale, and this reef is part of a much larger northern part of area 7 that runs from Cape Bouvard all the way to the Moore River mouth. The mismatch in scale means that the Greens' concerns remain very high about the impact on this specific reef. This reef is important to both recreational and commercial abalone fishers in the metropolitan area. I note that the Minister for Environment has recognised the genuine concerns about the uncertainty of the impacts of this development on abalone stock. The environmental conditions of approval include substantial requirements for abalone research, and there will be an abalone monitoring and translocation plan. We are yet to see how successful that will be. I hope it goes really well, but these things can be precarious, so we do not know. There will be a ban on a number of activities during abalone spawning season, and also a requirement to implement a mitigation plan immediately should impacts end up being larger than expected.

I have to say that the briefing for this bill was attended by a cast of thousands. I cannot complain that anyone who should have been there was not there. There seemed to be many people there.

**Hon Stephen Dawson:** Notwithstanding that this is a small bill, we wanted to make sure all your questions were answered.

**Hon ALISON XAMON:** Minister, I have no complaints about the number of people who turned up. My office has never been so full. I appreciate that; I am not merely being flippant about it. I recognise that people are trying to take this issue seriously. I note that, in the briefing for the bill, the fisheries staff who attended spoke of a number of planned activities that they hope will benefit the abalone population. I want to make clear my respect for the fisheries staff; I recognise that some really committed people work in fisheries. When I am raising these concerns, I certainly do not wish to cast aspersions on the good people working in fisheries. I note some of the things that have been proposed, including the translocation studies, starting this summer, to move abalone from the reef that is about to be destroyed to other locations, and also the building of the artificial reefs in deeper water, where it is intended to introduce abalone spawn. I really hope that these projects prove to be successful, and I encourage the government to continue funding these sorts of adaptation measures. The reality is that this is going to go ahead regardless of the Greens' position, so at the very least I want to see that all the adaptation measures being proposed are as successful as possible. As I say, I have faith in the competence of the Department of Primary Industries and Regional Development. I hope it gets the funding it needs, but ultimately I hope it all works, because it is not entirely within the control of the fisheries officers.

Another very great concern is one that I have raised countless times in this place—and guess what, members, I am going to continue to do it—that once again we are destroying part of a Bush Forever site. It is extremely frustrating that “bush forever for now”, as I refer to it, seems to be the best level of protection that we can provide. Bush Forever was meant to be positive and forever, but, unfortunately, we have seen throughout the metropolitan area that it keeps getting diminished. It is especially concerning in the context that so much of this coastal strip of Bush Forever sites is under threat already, as I have already spoken about in this place, from coastal erosion over the next few decades. The area that will be cleared was going to be one of the few spots along the coastline that is unlikely to be threatened by coastal erosion processes. That is incredibly disappointing. We are already looking at losing enough of it to coastal erosion, but then we have this one patch that we are going to be cutting into anyway. The current estimate I have of the required clearing for the project, as I said, is 16.79 hectares. The estimates of required clearing have been steadily reduced as the project comes closer to reality, which I am pleased about, because the smaller we can make the footprint of that destruction, the better. I would obviously prefer zero, but if that is not going to happen, try to make it as small as possible.

The negotiated planning outcome includes the offset purchase of lot 51 Walding Road, which is a 53-hectare site in Carabooda. The plan is for this lot, which is adjacent to Yanchep National Park, to be managed to the requirements of the Department of Biodiversity, Conservation and Attractions before being formally added to Yanchep National Park. The lot is also likely to be used as part of the offsets for Metronet rail development through the Ningana bushland, which I have also spoken about previously in this place. The draft negotiated planning outcome for Ocean Reef Marina made provision for \$100 000 to be allocated for the ongoing management and maintenance of this site. I look forward to receiving confirmation that this funding will be going ahead. It is absolutely clear that this site should be added to the national park, but I do not think it should be necessary to lose some of the Bush Forever site to make this happen. In relation to the issue of offsets, we know from long experience that offsets provide, ultimately, a net loss to the environment. This is particularly true for Bush Forever site 325, which consists of a long strip of bushland that goes all the way from Whitfords Nodes, on the north side of Hillarys Boat Harbour, up to Burns Beach. Again, as I have already said in this place, the coastal erosion risk maps created by the City of Joondalup show that the dunes that do not have any rocky cliff protection are highly likely to be severely impacted by coastal erosion, particularly as our climate changes and our sea level rises. In that environment, 16.79 hectares is actually not a small amount of loss. It is not a small amount to begin with, but when combined with foreseeable losses to this unique metropolitan bushland from coastal erosion, a substantially larger offset would, I think, not be out of line. I do not think it would go astray, and I would love it if the government could consider that.

While I am speaking about the impacts of climate change, I note that the briefing team told us that they are planning for a 90-centimetre rise in sea levels, because the science tells us that sea levels are rising, which is clearly why they are working on that basis. Coastal Risk Australia is estimating that, under a high inundation scenario, the average sea level rise around Australia by 2100 will be 74 centimetres. I am once again going to use this opportunity to highlight the urgency of our need to address climate change. If I can channel Hon Tim Clifford, I look forward to seeing you all at the climate strike on Friday. I will be there, so members can come and hang with me!

I have previously spoken in this place about the need for the design of the Ocean Reef marina development to be as environmentally sensitive as possible. I note that I am not alone in this. This is reflected in the request by the City of Joondalup to LandCorp that the highest possible environmental design be used. This is something the council wants, I want and a significant portion of the community wants as well. I was happy to hear in August last year that LandCorp had secured the services of a sustainability consultant to support the project team. I think that is the bare minimum that is appropriate, given that we are sacrificing a significant portion of the inshore reef environment of Western Australia's first marine park and also a substantial portion of one of our treasured Bush Forever sites. The very least we can do is ensure that these losses are minimised and mitigated. We should do everything we can to ensure that this environmental loss is at least respected with the best possible design. It is also essential that this development reflects the lessons that we have hopefully learnt from both the Hillarys Boat Harbour and Mindarie marina. I note one of the recommendations from a Committee for Perth report was —

Projects which are proposed to be developed in sensitive locations such as on the coast or river should provide a wide range of activities and be accessible to a very broad demographic.

The report said that the key to success was a —

... mix of facilities, services and uses which appeal to a wide range of users and incorporate activities which can be enjoyed for free. Projects which are considered to be elitist or available to only a small proportion of the population are unlikely to be judged positively by the wider public in the short or longer term.

If this is going ahead and if we are going to sacrifice this most precious environment—I wish we were not—at the very least it is important that we make sure that the maximum number of people are able to utilise and enjoy this area. I know that that is the expectation of people who live in the north metropolitan area. They certainly would not be prepared to contemplate this if it were simply going to be a place for rich people to keep their boats. I know people are hoping and anticipating that this facility will be widely used. Members should make no mistake: by going ahead with this marina and by passing this bill, we are making a huge environmental sacrifice for this project. Regardless of how locally popular I recognise this project is, we are, through this, turning away from decades of planning decisions that recognised that this land, in this location, and this sea area are special and deserve our highest level of protection. This is what we have previously identified. Even if Bush Forever, as the highest level of protection, is unfortunately not really much protection at all, we had at least recognised that this was something that we needed to do.

We are still not fully accounting for the ways in which climate change will impact on our coastlines and lifestyles—we know we are not. The work is not being done to the degree that it needs to be done to deal with the seriousness of it. In this context, only the best environmentally sensitive design is going to be even remotely acceptable for this marina to go ahead. The environment minister must ensure that the project is monitored, that the standards that are applied are stringently adhered to, and that impacts on things like the fisheries will be monitored very, very closely. We need to be careful that the impacts of climate change on the coastline are fully accounted for.

I am going to encourage this government and the minister to look at additional offsets for the loss of the Bush Forever site. Like I said, I would prefer not to go down the offset path, but if this development is going to happen, can we have even more offsets, please? All the offsets! The Minister for Planning ultimately has to ensure that whatever the final project looks like, it is fully capable of engaging the broadest part of the community. I am very disappointed that we are damaging so much of what has been previously recognised as quality environmental systems, but if this is going to go ahead, as the numbers in the house indicate it well and truly will, let us try to ensure that it is at least something that everyone can take advantage of, and let us see whether we can maximise a number of other environmental options.

**HON RICK MAZZA (Agricultural)** [5.55 pm]: I rise to make a few comments on the Reserves (Marmion Marine Park) Bill 2019. As others have pointed out, it is a very simple bill, the sole purpose of which is to excise a small part of the Marmion Marine Park. The bill has only a few clauses, and there is a very useful diagram at the back that indicates exactly where that small area will be excised. One reason for that is that it is a class A reserve. As has been pointed out, it was our very first marine park. I was surprised to learn that our first marine park was not established until as late as 1987, which does not seem that long ago. The environment minister can excise only up to five per cent or a maximum of one hectare of the class A marine park, which falls far short of what is required for the Ocean Reef marina. Even though this bill has a very simple purpose, it does in fact allow for a lot to happen within that area in developing the Ocean Reef marina.

The development is going to be undertaken by LandCorp. LandCorp was established in 1992 from really a merger between the Industrial Lands Authority and the Joondalup Development Corporation. It is a government trading enterprise. LandCorp will undertake this development, which is proposed to provide 1 200 square metres of retail space and have capacity for 565 boat pens, 200 boat stackers and over 1 000 new homes. It is a very large and complex development that will involve seawalls and putting in pens, as well as, I imagine, floating docks and different things. One thing that I was not able to find out from the briefing was the actual profit-to-risk factor for and estimated overall cost of this development. There will probably be a lot of hidden costs, depending on how things progress once dredging starts et cetera. I would not like to think that the taxpayer will be left with a fairly big bill at the end of it. I imagine that this development will be staged over many years, with the release of stages as it goes.

The purpose of this bill is to excise the development area, being 143 hectares of sea and marine waters from the Marmion Marine Park class A reserve. That area—143 hectares—is fairly large and is much more than is actually needed for the marina itself. However, other activities will take place in there, which is why so much is needed. Current park activities include diving, swimming, snorkelling and fishing, which are allowed in most areas within the park. Species that can be found include the western rock lobster; abalone, which obviously is a contentious issue within this project; dhufish; pink snapper; tailor; whiting; mullet; and Australian herring. It is a very significant area for recreational and commercial fishers.

In February 2019, the Environmental Protection Authority wrote report 1629 and set recommendations on the marina. The report found that the implementation of the proposal would result in the permanent loss of 12.4 hectares of near-shore reef habitat that supports Roe's abalone. This is the main source of contention for opponents as this is a breeding population. There will be turbidity of the water as the development is undertaken, which will affect the abalone breeding stock. A very knowledgeable adviser from the Department of Fisheries explained to me what the department would do to deal with that matter. I took a lot of comfort from the expertise demonstrated to me on being able to relocate 100 000 breeding abalone to another area. Some of that stock will go to an artificial reef, which will be funded out of the recreational fishing initiative fund. I understand that Recfishwest is not opposed to that. It will help to re-establish abalone stocks in regions affected by a hot-water event that happened in 2010–11. A report suggested that there was a heatwave and the sea surface temperature in some areas in the midwest and Gascoyne reached four to five degrees above average, resulting in a record-strength Leeuwin current at that time of the year during an intense El Niño period. Some members might remember reports that came out around 2011–12 of mud crabs being caught in the Swan River and giant herring caught in the Peel Inlet. I think that northern species were found all the way down to the Walpole and Nornalup Inlets as the hot Leeuwin current came down the coast. Some of those species persisted for a while, but I have not heard of anything caught of late.

Our abalone stock is under pressure, but since 2010–11, there have been some restrictions on fishers, and I know that reductions in bag limits also took place during that time. I see this project as a major development for Perth, and certainly for recreational fishers and boat owners. It will be very useful to them. Hillarys Boat Harbour has been successful as a tourist attraction, with its boat facilities, boardwalks and retail outlets. There is no reason that the Ocean Reef marina will not be the same. The reef will be affected by the redevelopment, but I am satisfied that the relocation of those abalone stocks will be looked after. The expansion of the Ocean Reef Boat Harbour to a large-scale multi-marina precinct has been considered for over 30 years. We had a discussion about red tape and green tape this morning and research being done. We are talking about this having been considered for 30 years. I am sure there have been a lot of reports and investigations done over a long time before reaching this point. This site in Ocean Reef has been long-identified as the preferred location for the marina and has been subject to numerous community consultation reports. The development, as I mentioned earlier, will probably create around 900 local jobs, as well as a mix of residential and short-stay accommodation as a tourist destination.

The proposed development falls within the commercial abalone fishery area 7 and metropolitan recreational abalone fishery. The Department of Primary Industries and Regional Development has been working extensively over many years with LandCorp, commercial abalone licence holders and the West Coast Abalone Divers Association on the proposed development. DPIRD has also been in discussion with Recfishwest about recreational impacts and I believe that Recfishwest has been liaising with LandCorp. My understanding is that 13 commercial abalone fishers have access to area 7 at this time. DPIRD will monitor and assess abalone stocks on an ongoing basis. The proposed development will impact on abalone habitat and stock. This is estimated to reduce available catch by approximately nine tonnes—four and a half tonnes for the recreational sector and four and a half tonnes for the commercial sector. The annual current catch is around 18 to 22 tonnes for the recreational catch and 24 tonnes for the commercial catch.

There has been some talk about compensation for commercial abalone fishers. The EPA report considered that the proposal will result in an impact on the economic viability of the abalone licence holders in area 7 of the commercial abalone managed fishery and that the voluntary fisheries adjustment scheme will address

compensation for some of those commercial fishers. Commercial fishers can make a claim to the voluntary scheme and reduce the pressure on the abalone habitat or the abalone stocks. DPIRD has already successfully located abalone and released hatchery-reared abalone. Collecting 100 000 abalone for breeding stock will be a big task on its own and I am glad to see that recreational divers and others will be involved in that. I am sure that there is plenty of science behind it to make sure that those abalone stocks are maintained. It is certainly something we would not like to see impacted too much. I know that there will be a short-term impact while the development is undertaken. The relocation of the abalone breeding stock may also take some time. I am quite hopeful that stocks will be re-established in the area that was affected by that hot-water event going back five or six years ago, or maybe a bit longer than that, so that there is not too much impact on the abalone stock overall.

I support the bill. As I said, it has been a long time in the making. There will be some issues around the environmental impact. I think we accept there has to be a balance between the environmental impacts and the facilities that are provided to the community, particularly around boating and recreation in this beautiful state of ours.

**The ACTING PRESIDENT (Hon Martin Aldridge):** Members, we are dealing with the Reserves (Marmion Marine Park) Bill 2019 and the question is that the bill be read a second time.

**HON STEPHEN DAWSON (Mining and Pastoral — Minister for Environment)** [6.07 pm] — in reply: I really appreciate your assistance, Mr Acting President, but I think it is appropriate for me to provide a response to those honourable members who have made contributions this afternoon to the Reserves (Marmion Marine Park) Bill 2019. I thank Hon Dr Steve Thomas for his contribution and his indication that the opposition will support this legislation. I thank Hon Alison Xamon and I appreciate her passion for this area. Although she may not be happy with where we have landed, I appreciate her advocacy and care for the environment. I also thank Hon Rick Mazza for his contribution. Honourable members, this is a fairly short bill. The issues associated with the marina are mainly outside the bill, so I wanted to make sure that when members had their briefings over the past few weeks, they got an opportunity to engage with the various government departments that have an interest in this project. Hon Alison Xamon thanked me for the number of people who turned up in her office; I believe she was being sincere, but I thought it was appropriate that the member got an opportunity to have her questions on the legislation answered by the various officers across government. I intend to answer as many of those questions as I can this afternoon.

I confirm, Hon Dr Steve Thomas, that 143 hectares, or 143.0667 hectares to be exact, will be excised. Not all of that will be developed, of course. It is acknowledged that the excision will impact about 19 hectares of intertidal and subtidal macroalgal reef communities. The Environmental Protection Authority assessed this project at the highest level of assessment and it found that if the Ocean Reef marina was implemented with proper management and monitoring plans in place, the environmental values of the marine park could be protected and there would be no adverse impacts on water quality outside the marina. The EPA provided proper scrutiny of this policy. I think we can all be confident that it provided proper scrutiny of this excision from Marmion Marine Park.

The information I have received is that it is estimated that there will be 900 ongoing jobs associated with this project, bearing in mind that, of course, we are talking about 750 boat pens over time. We are also talking about substantial new facilities, such as Hillarys has, so it will be a significant boon for employment in those northern suburbs. This is on top of 200 jobs estimated for infrastructure construction and about 300 jobs per annum supported over the longer term for the built form rollout.

I turn to the issue of silting and dredging. The ministerial statement 1107 condition 6, the marine construction and management plan, and the marine operations management plan address water quality and seagrass impacts.

I turn to questions about the impact of the excision on Marmion Marine Park. As I said, the proposed excision is approximately 143.0667 hectares, which is about 1.5 per cent of the marine park's total area. It includes 19 hectares of intertidal and subtidal macroalgal reef communities, about 17 hectares of seagrass and about 106 hectares of bare sand. The development envelope is substantially less than the excision area, as I have said.

I turn to the assessment. In relation to Hon Alison Xamon's comments, it is important to point out the work undertaken by the EPA. The marine component was assessed by the EPA at the highest level of assessment—that is, public environmental review. The assessment included a 13-week public review period, with feedback from seven government agencies and 61 public submissions being received by the EPA. In February this year, the EPA published its assessment report, finding, as I said, that the proposal was environmentally acceptable, subject to a range of recommended conditions. The EPA report was appealed by four parties—the West Coast Abalone Divers Association, Mullaloo Beach Community Group, LandCorp and an individual. Each of the appeals is being investigated by the Appeals Convenor. The issues raised by appellants include coastal processes, water quality and impacts on abalone, which has been raised by a number of members in the debate thus far. As Minister for Environment, I have a decision-making role on the bill, and after considering the matters raised in the appeals, I strengthened a number of conditions to ensure that impacts were further minimised and to increase the level of

transparency through the provision of monitoring results. Following that decision on appeals, I, in consultation with other ministers, issued ministerial statement 1107 on 7 August that allowed the Ocean Reef marina development to proceed under a range of strict environmental conditions.

Members have pointed out that this area is a very popular abalone fishery and had general questions about the impact on abalone and the fishery. The marina will create enhanced fishing infrastructure, amenities and opportunity for improved recreational access to Marmion Marine Park, but the construction of the Ocean Reef marina project will, as we have said, impact on the commercial and recreational abalone fisheries. Initial estimates predict a potential loss of about 9.35 per cent of abalone habitat in Marmion Marine Park. This is estimated to reduce the available catch by approximately nine tonnes of abalone, being approximately 4.5 tonnes of commercial catch and 4.5 tonnes of recreational catch. The current annual recreational catch is set at 18 to 22 tonnes and the commercial catch is set at about 24 tonnes. My understanding is that approximately 20 per cent of the commercial catch will be reduced. The area 7 commercial and Perth metro recreational catch has been reduced by almost 50 per cent since 2012, and that was to assist the stock to rebuild after the 2010–11 marine heatwave that Hon Rick Mazza mentioned in his contribution. The Department of Primary Industries and Regional Development's monitoring indicates that the stock is now recovering in that area.

The government has approved the establishment of a voluntary fisheries adjustment scheme to assess appropriate compensation entitlements for the commercial abalone licence holders impacted by the marina development. The VFAS will look to purchase entitlements or licences within area 7 of the commercial abalone fishery, and this will be assessed by an independent committee providing advice to the Minister for Fisheries. This VFAS proposal has happened under various governments over time when there has been a requirement to buy out or pay out entitlements or licences. That will be on all matters, including the value of abalone licences and entitlements—the quota. I guess the point to make is that the scheme is voluntary.

LandCorp is working with the Department of Primary Industries and Regional Development, commercial abalone licence holders and Recfishwest on a range of measures intended to help manage and offset the impact of the marina development on the abalone stocks within the fishery. As Hon Alison Xamon pointed out in her contribution, these initiatives include proposals to translocate abalone from the impacted areas at the south end of the reef to other areas of inshore reef, to enhance abalone stock in the fishery by trialling the release of hatchery-reared juvenile abalone and to investigate creating artificial reefs to enhance abalone habitat by using purpose-built modules to provide suitable habitat to enhance abalone stock in the fishery. It is estimated that the cost of these initiatives will be about \$1 million, so it is a significant investment.

**Hon Dr Steve Thomas** interjected.

**Hon STEPHEN DAWSON:** That is purely for those initiatives. It is obviously not related to the VFAS; I have moved on from that. This is about the initiatives to mitigate the impact of the marina development on stocks in the fishery.

I turn to the review of the impact. Ministerial statement 1107 requires annual reporting to the CEO of the Department of Water and Environmental Regulation against the requirements in the statement, which is condition 4. In his contribution, Hon Dr Steve Thomas alluded to that five-year review period. There is an annual requirement to provide reporting to the CEO of DWER, and I do not believe there is any reason that cannot be made public.

**Hon Dr Steve Thomas:** What I am looking for is the Fisheries review rather than DWER review.

**Hon STEPHEN DAWSON:** The Fisheries review, okay.

**Hon Dr Steve Thomas:** We might come to that later.

**Hon STEPHEN DAWSON:** Sure.

Condition 8 of the ministerial statement requires the proponent to undertake an abalone baseline and biomass survey prior to commencement, and condition 9 of the statement requires the proponent to develop and get approval for an abalone and biomass monitoring plan with a range of specific requirements included in the plan to monitor, manage and report the impact. Although the plan is required to be implemented for a minimum of five years, it would be reported annually through condition 4—that is, compliance monitoring. That requirement is for abalone. The plan is to be implemented for five years, but there is an annual requirement to report.

**Hon Dr Steve Thomas:** We may come to that in committee, whether that makes adjustments potentially to whatever goes on with the fishery.

**Hon STEPHEN DAWSON:** I do not believe it makes an adjustment, but let us seek some advice on whether the CEO of the Department of Water and Environmental Regulation can make decisions as a result of the annual reporting. We will seek that further information.



I turn to the question of the marina's location—that is, whether it should be moved further south and whether there would be fewer environmental impacts. I am advised that the current location of the proposed marina has been subject to rigorous and peer-reviewed studies and investigations to inform impact predictions. State and local government strategic planning documents have identified Ocean Reef as the location for an expanded marina, including the “Perth Recreational Boating Facilities Study 2008”, the 2000 Bush Forever policy, the “Marmion Marine Park Management Plan 1992–2002” and various plans and policies developed by the City of Joondalup over the past three decades. This is not something that has been taken lightly; it has been under active consideration for many years and the work has been done over many years. The current location is almost equidistant between Mindarie marina and Hillarys Boat Harbour. If the marina was located at an alternative site to the south, the key environmental issues identified include: the need to keep the development completely separate from the existing facility, given the location of the Water Corporation's ocean outfall, which would result in the creation of a new coastal disturbance site; an increase in the overall footprint of disturbance within the marine park because the existing Ocean Reef Boat Harbour could not be incorporated in the overall design; the development would encroach on Mullaloo Beach and the preservation of Mullaloo Beach is also a key issue for the community. I think Hon Dr Steve Thomas referred to it as a social value. Given the sandy shoreline south of the Ocean Reef Boat Harbour, the impact of changed wave conditions on Mullaloo Beach would be significant. The proposed footprint would encroach on the sandy beach area and the change to coastal dynamics would result in shoreline erosion and change the redistribution of sediment. I have lots more to say but I am happy to leave it there and finish my comments tomorrow.

Debate adjourned, pursuant to standing orders.