

## **MARINE PARK PLANNING**

### *Motion*

**HON SALLY TALBOT (South West)** [3.03 pm]: I am very pleased to move this motion —

That this house condemns the government for taking an old-fashioned piecemeal and politically driven approach to marine park planning in Western Australia.

There are obviously a vast number of areas of government in which we do the wrong thing as legislators if we adopt a politically driven approach, but nowhere is this better illustrated than in that area of marine park planning. I am sorry to say that this motion arises out of the complete failure of the government to be able to do one single thing to move marine park planning in Western Australia forward.

I want to start by paying tribute to a couple of great campaigners. I think we are very fortunate to have people of this calibre engaged specifically with the Western Australian situation. One of them is David Mackenzie, who is currently working for the Conservation Council of Western Australia. David has been around the conservation movement for many, many years. I have known him for much of that time, and I think David has an enormous amount to contribute to this debate. I have had many conversations with him over those years about marine park planning, and a lot of what David has said has informed my thinking and, therefore, hopefully, we will see over time, that it has informed the thinking of the Labor Party about how best to do marine park planning. The other person—a lot of them are around—I want to single out specifically by name is John Carey. John works for the Pew Environment Group. As we know, Pew is an international organisation that made Australia one of its key projects some years ago. John has been leading the campaign to get the whole issue of marine protection in Western Australia onto the agenda. I think honourable members will agree with me that between those two campaigns—the one run by the Conservation Council and the one run by Pew—we have an enormous amount of research and other material now available to us. At the end of 2011, there can be no excuse for doing marine park planning in a way that does not draw on this vast body of scientific research that should be informing our efforts.

Let me just backtrack a bit. I spend most of my time working in the Peel region. A survey into what people value about living in the Peel region was done some years ago. The first seven of the top 20 values that people identified included some reference to the marine environment. People love living in the Peel because they love having the marine environment—the ocean, the estuaries and the inlets—as part of their lives. It is a well-known fact that Australians all over this country love our coasts, our oceans and our rivers. It is one of those underlying values that underpins our way of life; it is something that all Australians share. I think it was Tim Winton who made the observation that we embrace the ocean as we are ambushed from behind by the desert. It is as though we are driven to our coast.

Last Friday, I was one of several Labor members who took part in a really productive policy planning session with a group of experts and researchers in the whole field of sustainability. The group that I was working in took, as its particular topic, living on the coast. We had a wide-ranging discussion over a period of about two hours focused on that whole subject of living on the coast. It was fascinating to me, but not surprising, that we started our conversation by talking about building and about our recreational pursuits that involve the ocean. We had with us a very talented young researcher who is doing her PhD through the CSIRO and working in Geraldton. She talked about changing the metaphor of our engagement with the ocean so that we talk about the terrestrial environment kissing the marine environment, to change the whole paradigm of the way in which Australians have interacted with their oceans and water environments in the past. But after some time we started talking about things such as community arts and mental health indicators because that is where we get to when we start talking about the way Western Australians and Australians generally live with their marine environment.

I will not be just adopting a partisan position, because it is well and truly on the record that Labor in government had a proud history of advancing the case for creating marine parks and conservation areas based around increasing the sustainability of our fish stocks. It clearly also took into account the effects of increasing population, urban sprawl, traditional land uses, which I think it is probably fair to say we now widely and freely acknowledge as being poor land uses, and of course climate change on our aquatic environment. I guess one of the things that we all agree about now, probably even on both sides of this house, but certainly in the community and amongst stakeholders, is that we are in trouble. Around 2007 we came very, very close to the extinction of some of our endemic demersal fish species and had to take some radical steps to prevent that extinction. Then, of course, in 2009 was the very distressing incident of dolphin deaths in both the Swan River and Bunbury. They are two signs of the stressed condition of our aquatic environment.

We need to do something urgently to respond to the expectation of Western Australians that their aquatic environment will not be destroyed by the encroachment of modern urban living practices. Western Australians

regard their oceans as a kind of commons. The notion of the commons has been very well explored by social commentators and philosophers. It was suggested at one stage that the whole concept of the commons was problematic because once we regarded land or areas in our community as commons, the common areas, they would be less cared for by the community. People will remember the well-known article of some years ago called “The Tragedy of the Commons”, which was about the gradual destruction of areas that were regarded as commons. I do not think that applies in Western Australia in 2011. The community regards its aquatic environment—that is, our oceans, rivers and estuaries—as something that has the potential to give shared benefit throughout our community. The community looks to us as political leaders and community leaders to make sure that measures are in place to ensure that we do not lose that environment.

In summary, before I leave the topic of how Western Australians regard our environment, I notice that the Conservation Council of Western Australia has released a publication on marine park planning called “Protecting Western Australia’s big blue backyard”. I think nothing better summarises what I am trying to say about our attachment to our marine environment. Between 2001 and 2008 there was a sustained effort by Labor to create what we now know we need—namely, a network of marine protected areas around our state. The Barnett government took over in September 2008. It took three years to activate plans that, as I have said in this house many, many times, were sitting on the desk of the Minister for Environment the day she walked into her office in September 2008. Those plans were for the cape-to-cape and Dampier Archipelago marine parks, both of which were at a very well advanced stage of planning in 2008. We have crept forward on those two proposed marine parks and I will have more to say about those a little later. In 2010 the Premier announced marine protected areas in the Kimberley. Of course, as honourable members well know, that announcement and the subsequent release of the draft plans met with universal condemnation from stakeholders. The plans have been referred to as more like parks for fishing and drilling than marine parks. Along with that condemnation has gone some really quite bitter disappointment about the size of the areas proposed to be protected. Again, I will come back to that a little later.

But what is the key problem? My motion is very specific; it is about an “old-fashioned piecemeal and politically driven approach to marine park planning”. What is the key to the problem? We know the manifestations of the problem. There have been two successive environment ministers and a Premier who are totally unable to talk about the values that they are trying to protect with their marine park planning. The manifestation of the problem is that we still have planners in government who think that they do proper marine park planning by sitting and drawing lines on maps. That is the manifestation of the problem, but what is the problem itself? The problem is that we are still trapped in a way of thinking in which we choose a conservation value and let it drive the whole planning process. That is fundamentally what I want to expand on in my contribution to this debate.

Let me give a very brief Cook’s tour from 2008 to the end of 2011, which basically sums up a period of government under Premier Colin Barnett with the kind of leadership that is very big on rhetoric and very, very small on outcomes. We start, of course, in the beginning of 2009 with the gazettal of the Walpole and Nornalup Inlets Marine Park. It was of some considerable concern and dismay on this side of the house that the cape to cape and Dampier Archipelago marine parks were not gazetted at the same time because all three were just about at the same stage of planning when Labor lost government in 2008. The mystery deepened over the next couple of years because under repeated questioning we uncovered the following. On 12 May 2009, my questioning of the then Minister for Environment, Hon Donna Faragher, about what was happening with marine park planning was answered and the minister said that the Liberal government was committed to increasing the number of marine parks. On 18 June 2009, the minister informed the house that she was receiving briefings on the cape to cape and Dampier Archipelago marine parks. On 24 June 2009, the minister said again that she was receiving advice on the cape to cape and Dampier Archipelago marine parks and she rather cryptically added “and a couple of others”, which I suppose was some cause for optimism on this side of the house because it showed that the government was perhaps thinking ahead a bit and doing some planning. Jumping to 21 April 2010, after something like 10 months of absolute stony silence, we asked whether anything was ever going to happen. The then minister informed the house that she was still asking for advice on the cape to cape and Dampier Archipelago marine parks. All this was of considerable interest to people in my electorate and yours, Mr Deputy President (Hon Matt Benson-Lidholm), as you were a member for the south west at that time, because our constituents had taken part in a very extensive consultation process on the cape to cape marine park. They were at a total loss to account for why the minister, in April 2010, was still asking for advice about the cape to cape marine park.

We then move to 18 June 2010, when the other boot dropped and we were told, in the context of an estimates hearing, that cape to cape and Dampier Archipelago were no longer on the government’s priority list; they had dropped right away at that stage. So from 18 June 2010 onwards, for the rest of the previous minister’s reign in that position, we got absolutely nothing on cape to cape or Dampier Archipelago. It took her two years to dump Labor’s plans for those two marine parks.

Fast-forward to the exit of that minister and the entry of the next minister in 2011, and what we got then, on 22 October 2011—just a few weeks ago—was supposed to be the grand announcement about the whole process in the Kimberley. I have already said that this government's defining characteristic is that, while it is big on rhetoric, it is very, very small on outcomes. Sadly, that observation was crystallised around the announcement of the Kimberley projects. What we saw there was quite literally all spin and no substance. As I observed at the beginning of my speech, this is one area where one should not play politics, yet what we saw was the most blatant political play in relation to marine planning in the Kimberley.

Again, I have made this point several times, and I know that the previous Minister for Environment is on record as saying that she finds all this very tedious; that is hard luck, because I am going to keep saying it for as long as I have to, until things change. On one hand, we had the threat of compulsory acquisition of land owned by Aboriginal people in the Kimberley. The Premier desperately needed some kind of balancing for that political agenda, so the government came out with this announcement about four marine parks in the Kimberley.

We knew we were in trouble very early on, when the minister could not even explain her own budget documents, which referred to the protection of "multiple values"; she had no idea what the multiple values were, despite being asked on several occasions. I must say—I have made this point before, but I will make it again, because I quite enjoy making it; it serves as a bit of an object lesson to other members who have ambitions to become state government ministers—that if one falls over once in the house having been asked a question that one cannot answer, the really sensible thing to do is to go away and find out the answer, because the chances are it will be asked again.

When I asked the former Minister for Environment, Hon Donna Faragher, the same question a second time, she still could not answer it and, indeed, on that occasion she said that I should not have asked the question because I should have known the answer. I pointed out that I did know the answer, but I wanted to know whether she did, and she clearly did not. Nor does the current minister. One of the first questions he took as Minister for Environment during question time in the other place earlier this year was about what multiple values he was trying to protect in the Kimberley. His answer was unforgettable—that there are lots of different types of fish! I will come back to that again in a minute.

What was the problem with this announcement about the Kimberley? Let us go into that in a little more detail. I realise that I read out the wrong date earlier—it should have been 22 October 2010. We had the announcement of the first draft indicative plans for these four marine parks. To our astonishment, what we found was that the government was proposing to protect only two per cent of the waters in the Kimberley. Compare that with the 34 per cent the previous Labor government protected when we gazetted the Ningaloo Marine Park. I must say that I am often very critical of the Department of Environment and Conservation and the way it operates in terms of its terrestrial and marine park management, but I went to Ningaloo recently to have a look and I must say that the work that DEC has done there is absolutely first class. The fact is that many thousands and thousands of people can go into that protected area every year and interact with it. I referred earlier to the discussion that I was part of last week when somebody suggested that we should be using the metaphor of kissing when it came to our interaction with the marine environment. If one goes to Ningaloo and the two national parks that are gazetted down the coast there, on the coastal side of Exmouth, one can see that it is a very appropriate metaphor.

The Labor government got it right in Ningaloo. Having said that, I hope I have time later to talk about some even more modern principles that should be applied to marine park planning. However, we found out that the government was planning to protect only two per cent of the Kimberley waters. In the case of Camden Sound marine park, only 13 per cent was earmarked for protection, compared with 34 per cent at Ningaloo. We know that we can do better when it comes to no-take zones, and that accounts for our bitter disappointment as well as some of the specific criticisms that have been made of the proposal.

I hope that the former minister is planning to speak in this debate because I would like to hear a defence of that decision. I would like to hear a specific defence of the fact that the government is proposing to protect only two per cent of Kimberley waters, and 13 per cent of Camden Sound. My view is that that is indefensible, so I will be very, very interested to know whether the former minister has the courage to stand up and defend her government on that score.

What we have ended up with in the Kimberley is essentially a fishing and drilling park. I put it to the Minister for Fisheries —

**Hon Simon O'Brien:** You're very interested in the Kimberley lately!

**Hon SALLY TALBOT:** I am so glad that the minister for whatever he is now—the ex-Minister for Transport—is keeping up with contemporary commentary; it is great to see that Hon Simon O'Brien is keeping his finger on the pulse! The answer is no, by the way. I know what he is talking about, but I am very, very proud to be a member for the South West Region and I intend to continue being a member for the South West Region after the

next election—which means, of course, that I can continue to live in my home in Denmark, which is actually in my electorate.

I put to the Minister for Fisheries a question and gave him a chance to respond. I thought it was fair to give him a chance to put on record how he wanted to respond to the criticism that Camden Sound marine park could be better described as a fishing and drilling park. Of course, as one would imagine—most of us could write his answer without too much research—Minister Moore launched himself on that good old scare campaign: if the Labor Party is not legislating to make homosexuality compulsory, it is legislating to lock up the entire marine environment and not allow anybody onto any of our beaches or into any of the waters. That is obviously a ridiculous argument, but it is one that Minister Moore resorts to periodically, so we are used to dealing with it.

I would like to put it to Minister Moore that there must be common ground on which we could start to talk, in terms that we all agree on, about how we should be doing marine park planning. The simple fact is that our marine environment is polluted and it is overfished. One of the prevailing characteristics of our marine environment is that we are seeing the destruction of habitat, and that is what is leading to the near extinction of some major species. One does not have to look too far to find figures that literally send a chill down one's spine. In global terms, two-thirds of the world's coral reefs are already dead or they are dying; they are in a terminal condition. We have lost something like 90 per cent of the large fish species. If we start from that basic proposition, it is just plain silly for government ministers to stand and say to us on this side of the house, "I suppose what you want to do is lock up the whole of the ocean."

In preparing for this debate, I went back through Minister Moore's answer to a specific question I asked him about how he wanted to respond to the description of a "fishing and drilling park". He said this —

It is not easy to get a balance between conservation of the ocean and allowing people to do things in the ocean such as catch fish ... drill for oil and gas.

Is there a better synopsis of the problem than what Minister Moore said to me on that day? For those members who want to check, this occurred in question time on 23 November 2010. He said —

It is not easy to get a balance between conservation of the ocean and allowing people to do things in the ocean such as catch fish ... drill for oil and gas.

That gets to the very heart of our problem. It is actually very hard for Minister Moore to do this because he is working, along with the Minister for Environment and the other ministers who have some say in marine park planning, with an extraordinarily out-of-date planning model.

Before I get to that, let me introduce my critique of the model they are working with by saying that they need to have some idea about the multiple values we are protecting. As I said earlier, the main flaw with the way this government does things is that it picks one value. I recall Hon Norman Moore's answer to the question about what the multiple values were. He replied, "It is the whales." I pointed out to him at the time that a whale is not a value. One does not pick something like a whale and say, "This is what we are doing." There has to be a notion of integration and interconnection. The government is using that rhetoric when it comes to its terrestrial planning but it is totally missing from all its talk about marine parks.

We might be having a better informed debate about the specific subject of marine planning in the Kimberley if we could get our hands on the research that the government is relying on to progress its plans. We know that that research exists. It was a Liberal government, under Richard Court, that set up the Marine Parks and Reserves Authority. We know that the MPRA has done that work to put together the scientific propositions that are supposed to underpin marine planning all around the state, yet the government will not release the research. I cannot understand why that research would not be made public unless the research actually says something contrary to the decision that the government has made about how to progress marine planning. That has to be the conclusion that we come to because of the government's refusal to release that research. As I said, the basic problem here is that the government is working with a very outdated model when it comes to marine planning. The model may not be known to everybody in this place, so I will spend a bit of time talking about it. The document is called "New Horizons: the way ahead in marine conservation and management". This document I am holding was actually released in 1997. I am looking around to see who might have been here in those days. I am not sure there was anybody on that side of the house. Hon Giz Watson of course was here, and I assume that she is au fait with this document. I guess one reads it with a certain amount of amusement, as one does all historical documents. It is a bit like going back to medical practices such as using leeches and sweating out fevers—it is now very old-fashioned. The original policy comes from 1993. The current Minister for Environment's response in the other place about what were the values in the Kimberley was, "There are lots of different types of fish." That kind of thinking is absolutely the headline statement in this kind of policy making. That is the policy making that underlies documents such as New Horizons. One only has to look at the statement

at the front of the document, which is signed off by Richard Court and the then Minister for the Environment, Cheryl Edwardes. On the first page, it states —

In 1994 the Government of Western Australia unveiled a policy that provided the framework for the conservation and management of the State's marine environment. In that policy—*New Horizons in Marine Management*—we committed ourselves to the conservation of our marine environment and the ecologically sustainable use of our natural resources.

There it is in a nutshell. We are looking at the marine environment as a resource. It is very far away from that metaphor that I referred to a couple of times about the nature of our engagement with the marine environment being more like a kiss than an objectification of a resource to be used for our benefit. This whole document is premised on the use of a resource, the conservation of the marine environment, but only because it is a resource.

If members turn over to the next page, they will find the following statements —

The potential of our marine life is virtually untouched and it may harbour compounds of untold benefit to humankind.

The “untold benefit” of course is quantified through the rest of the document always and only in terms of economic value. I will go on reading from *New Horizons* —

The seabeds of the North West Shelf have been found to contain rich gas and oil reserves. More recently, diamonds are being found in Kimberley waters.

If members go through this document they will even find sections on the petroleum industry. It reads much more like something put out by what we would now call the Department of Mines and Petroleum than it does by any environmental agency.

As I say, *New Horizons* was conceived some time around 1993. This document is 18 years old. That sounds like a short time. If we meet an 18-year-old, we think they are a young person, but think of the changes we have seen in Western Australia in the past 18 years. What was the population in 1993? It was about two-thirds of what it is now. We have seen massive population growth in the past 18 years. We were not talking about climate change in 1993, yet think of the impact that climate change is having on our marine environment. I am pretty sure we had mobile phones in 1993, but they were the size of house bricks. People tended not to take them out with them. My friends who were firefighters would lug them around with them. I bet if members looked at any fishing charter today, they would find probably just as many mobile phones on board as there are crew and passengers. We did not have those things in 1993, or, if we did, they were very crude instruments in terms of fish finders and global positioning systems. If they were around, they were certainly nothing like the sophistication of what we have now.

I have chosen those points very carefully. Those are just a sample of things that impact directly on the slow but inevitable degradation of our marine environment—more people, the impact of climate change, and increased population combined with technology such as mobile phones. We get people going fishing, who will then ring other people and say, “Come out here; this is where they're schooling; this is where we're pulling up the fish”, and, of course, a fish-finder GPS enables people very readily to target where they will be able to catch things. The world has changed extensively since this document became the Liberal Party's guiding principles for marine park planning. If this is wrong, and there is another document that members on the other side keep as a ready reckoner beside them, I would like to hear about it, but I have seen no signs and I cannot find any evidence that they are relying on anything other than this sad, old, tired, dangerous *New Horizons* policy. What is wrong with it? I have limited time left to me, so I will fairly quickly go through a series of points that I would like honourable members to take as both a critique of the interesting *New Horizons* policy that the Liberals are still using and an indication of my thinking about the changes that we should be making to marine park planning and how we should be identifying our priorities.

The first point I want to make—I have already touched on this—is that the science that informed “*New Horizons: the way ahead in marine conservation and management*” is very old science. Nowhere has science moved more quickly than in the area of marine planning and all the associated scientific disciplines that go along with it. Huge steps have been taken in our understanding of the marine environment and the interaction with the terrestrial environment. This document takes no note of those 18 years' worth of work. As a framework for planning, *New Horizons* always looked at economic and social needs, never ecological needs. In fact, I doubt that the word “ecology” even appears in this document. It is just not good enough. It is old-fashioned, out-of-date thinking. What we have as a result of this document are reserves under which any ecological connectivity—if any acknowledgement is made of it—is only a happy accident because some particularly good science might have been used at the time. It is certainly not one of its priorities.

New Horizons does not take a whole-of-ecosystem approach. I know that this sounds a bit jargonistic, but this is the common currency of the language of marine planners; nobody talks the language of New Horizons anymore. All marine planners talk about whole-of-ecosystem approaches. They all talk about the need to integrate protected area systems and ecological sustainability. They all talk about the need to manage the sustainability of human interaction with the marine environment. They all talk about biodiversity and the need to understand the interconnectivities that sustain biodiverse systems.

Another problem with New Horizons is that it simply does not bring all the stakeholders together. It really is a document based on “might makes right”. As we know, we have a multitude of sectional interests in marine planning. We have to give everybody a voice, we have to hear all those arguments and we have to, if not meet all their demands, respond and explain what we are doing. New Horizons cannot do that because of the way it is set up and the assumptions that it makes. What we have in New Horizons is a solidification of that kind of siloed thinking that essentially spreads marine planning through at least five different government departments. Let us start with the Department of Environment and Conservation. As we have seen with so much planning over the past decade or so, DEC has to get the concurrence of the Minister for Fisheries for marine parks. I think that is extremely problematic. That concurrence provision, which was put in place, as I recall, by a Liberal government, might have sounded okay when people began to talk about it. It might have been seen as an attempt to overcome siloed thinking, but, of course, in practice it means that the Minister for Fisheries effectively has the power of veto over the Minister for Environment’s marine planning. So, there is DEC, the Department of Fisheries, the Department of Planning, the Department of Water and, of course, the Department of Agriculture and Food. Those five departments all want to have their two bob’s worth in marine planning. And then if there is anything that relates to any kind of mineral exploration, the Department of State Development also is involved. There is extremely unbalanced representation in the decision-making forums that constitute marine planning, entrenched by this New Horizons thinking. There are very cumbersome and slow mechanisms.

I will give honourable members some data that has come straight from DEC. DEC says that, of Western Australia’s 18 bioregions, 12 have no protected areas and only one—that is, Ningaloo—meets the internationally recommended levels of protection; that is, 20 to 30 per cent of marine waters being protected by sanctuaries. New Horizons is just not up to the job. I have already referred to the fisheries minister’s effective power of veto. I think that is worthy of considerable attention from any marine planner.

There are two final points I want to make. There is no reference in this document to any kind of precautionary principle. This document does not encourage marine planners to be risk averse. It does not encourage the precautionary approach. We know that with marine planning, as in so many other areas of planning, the precautionary approach has to be written into our planning mechanisms. Of course, finally—we are in the middle of this process at the moment—there is absolutely no acknowledgement in New Horizons that there should be some kind of integration between state and commonwealth planning in the marine environment.

What we have at the heart of the government’s thinking is a system that is riddled with problems. It is riddled with those kinds of conflicts of interest that inevitably arise—I am not talking about individual ministers having different interests; I am talking about a conflict of interest within the mindset of individual ministers—when ministers such as the Minister for Fisheries and the Minister for Environment are charged with maintaining the marine environment as both a resource and an object or target for conservation measures. Both those things just cannot be done at the same time. It is like the vase and face test—people have to flip from one to the other, and they really end up tripping over their own feet.

I will summarise. We should be moving towards—I have referred to the jargon, and I am going to use a bit more jargon now—a CAR reserve system of planning. CAR is an acronym that stands for comprehensive, adequate and representative. I hope that I have just made those points by way of my critique of the New Horizons document in terms that will enable honourable members to see that we cannot have a comprehensive system in marine planning when the very mechanism entrenches that siloed government thinking. Species cannot be adequately represented when the guiding document provides that just one value should be identified, a line should be drawn around that value and then everything else should be kept out. We need a way to talk about integration and reciprocity between different marine environments and about protecting enough of a specific environment to ensure that those values associated with biodiversity are protected. Then, of course, there is the whole issue of the representative nature of what is trying to be conserved. This is why it is just nonsense for us in Western Australia in 2011 to still be working with a document that does not even try to offer us a way of talking about notions such as biodiversity in the marine environment. There is so much interesting, exciting and world-class work that we could be doing with marine planning in Western Australia. We could be looking at the state waters and the integration of state and commonwealth waters in a way that would make us world leaders in changing the way that we look at our interaction with our marine environment. The key value that Western Australians identify in their lives is under threat because this government refuses to move to a modern way of thinking about marine planning.

**HON JON FORD (Mining and Pastoral)** [3.50 pm]: I rise to support the motion. Indeed, I welcome the motion, because hopefully when the government engages we can look at a constructive way forward. I suppose that when we level a criticism like this at a government, it is easy to go for political point-scoring. I suppose also, as Hon Sally Talbot pointed out, that with a change of government, there is always an opportunity for change. What we have not seen with regard to marine park planning is that change. In fact, there was an opportunity for a quantum change in the way that we approach marine park planning. I note that a significant change was made by the former government in its approach to fisheries management, and the current Minister for Fisheries has advanced that. So, I am going to talk from a former Minister for Fisheries' perspective, because I have some empathy for the Minister for Fisheries and the Department of Fisheries. But the current Minister for Fisheries needs to change, too, and the legislation that supports that department needs to change.

The reason I am going to talk about that is that my experience has been, and my examination of previous Ministers for Fisheries' experience has been, and I suspect this is also the position of the current Minister for Fisheries, that there has been an absolute horror of what is proposed from time to time by the Department of Environment and Conservation, through the Minister for Environment, with regard to marine parks. That is because they have no knowledge. That is because they think of mammals, and nothing else. That is because they think of marine parks as a two-dimensional terrestrial park and think that they can apply the same planning to a marine environment. In fact, it is recognised within the statutes that the Minister for Environment does not have any actual powers with regard to protecting marine invertebrates and vertebrates, except for mammals. But there is a disconnect, and I have talked about that in this place before, in that from the Department of Fisheries' perspective, ministers, in their endeavours to protect species, look at a calculation that is made for a total allowable catch. The decision might be to ban the capture of a certain species if it cannot be left at a sustainable level of exploitation. The trouble with the act that Fisheries works under is that it assumes that the marine environment consists of a whole bunch of primary resources that need to be exploited from a primary industries' perspective. Ministers for Fisheries are asked to make decisions in that role based on what is regarded as a sustainable catch. But very little is said about the integration between that animal and other species around it. I will take predation as an example. If the minister is asked to limit the amount of sardines that is taken, no, or little, information is given to the minister about what predate on sardines, other than humans, and about the biomass for feeding. The same goes for marine mammals. Endeavours to protect marine mammals are made without any thought about the environment that they traverse and what their particular needs are.

We also hear a lot of debate about percentages, and we heard this in some of the debate and interjections earlier, which were about, "How much did you protect; how many parks did you make?" That is directly reflective of a very outdated view, and Minister Moore has picked up on that a few times himself. It seems to me that if we are truly looking at the values of what we are trying to protect, and why we are trying to protect those values, that will determine the level of protection that we need. Therefore, I am pretty critical of mandated percentages, because it seems to me that if we look at a species and its environment, and the risk factors of that species surviving that environment, we might decide that one per cent, or half of a per cent, protection is all that is required to ensure the survival of that species in that environment; or it might be that it needs 100 per cent protection. So, to make judgments about our success on the basis of how many parks we have put in place, and what percentages of protection we have provided, is a very outdated way of thinking.

As an example of that, I just quickly during this debate had a look at the Department of Environment and Conservation website and what it says about the proposed Camden Sound marine park. It states, in part —

The proposed Camden Sound Marine Park is the first of our four new marine parks to be considered as part of the new Kimberley Wilderness Parks, a key component of the state government's major conservation strategy for the Kimberley.

The proposed park is about 300 kilometres north-east of Broome and covers approximately 7,062 square kilometres ... which will make it the second largest marine park in Western Australia behind Shark Bay.

So what? We still have not come to what that marine park is supposed to do and why it has been declared. It starts to hint at that when it states —

Camden Sound is situated within the wild and remote Kimberley, one of the most biologically significant regions of the world.

What does that mean? Are we putting the park in place to protect this biodiversity, and how is that going to be accomplished? It then states —

It is the biggest calving area for humpback whales in the southern hemisphere and is rich in other marine life ranging from coral reefs and mangrove forests to turtles and dugongs.

Turtles and dugongs are everywhere. Is it saying that by putting a boundary around it—or maybe not even a boundary at all; just giving a title to this 7 062 kilometres—it is somehow going to protect that biodiversity and protect whales? We will start with whales. Poor old whales! They are the biggest political football; I suppose they have taken over since the old political hangings. Members have heard me talk about whales—the Kimberley whales and the Pilbara whales. They are used to justify why we should not build gas plants. They are used to justify why we have proposed marine parks. We do not need marine parks to protect whales. Because whales are mammals, they are actually protected in Australian waters. In fact, there is a level of protection for whales internationally. But—Hon Giz Watson is right—there are problems with that. We do not protect whales by declaring a particular piece of water a marine park. We know where the inference is, because the press release for Camden Sound has on it a picture of a whale's tail. So, that makes me feel warm and fuzzy and I am sure that will protect the whale calving. What will protect the whale calving is making sure that boats do not go too close to them and they are not exposed at a vulnerable time to entanglement in fishing nets and aquaculture equipment. I am quite prepared to hear all that debate about the tourist boats and large vessels that are up there; that is a way they could be protected.

Whales are very mobile creatures; they go all the way from the Antarctic to Camden Sound, and back again. I do not believe that the presence of whales is a value for the Camden marine park, which is what we are supposed to believe. It is political, because people feel good about whales. Governments and other groups like to focus on whales, because people like whales. But does the presence of whales mean we have an effective marine park planning system? I do not think so.

There has been ongoing debate around the world about the effectiveness of marine sanctuary zones, marine parks in general, and the impacts of technology and so on. Hon Sally Talbot mentioned a couple of bits of technology that are now recognised worldwide as being the biggest threat to the marine environment, including global positioning systems. People can now go to the spot where they caught a fish and fish exactly on that spot every single time, so there is no guesswork in it. The next thing is the accuracy of weather reports. People can look at the Perth radar while they are out on the water and dodge the squalls. Certainly commercial fishers, and a lot of recreational fishers, have a whole bank of spots they can go to, depending on the weather. People also trade their fishing spots. The other big threat is the mobility of the recreational fishing fleet. We now have great highways that provide easy access to the water, and people who have a high living standard have boats and can go out and fish constantly. It is not just a weekend sport; a lot of people now have the disposable income to allow them to buy the technology and the boats to hit the water.

On top of that, terrestrial planning does not take into account the impact on the marine environment. I have often said that at the time the North West Shelf was developing, if somebody had actually thought for a moment about the impact of having thousands of people with good shift patterns and a huge amount of disposable income—for years now we have had one of the highest boat ownership rates in the country—they would have done something about marine park planning way before the nod was given to the development of the North West Shelf, but that was not done.

Now the Minister for Transport is talking about boat ramps, so we have one department proudly announcing that it is building more boat ramps and marinas. From a fisheries and marine perspective, restricting the amount of boat ramps is good input control, because access to the water is being restricted. But that tells us that there has to be a major contemporary change to the way marine park planning and conservation is approached. Hon Sally Talbot talked about the myriad departments that interact in the way these matters are managed. From the Department of Fisheries' perspective, it has a charter within the Fish Resources Management Act that explicitly states that it has to maximise the value of Western Australian fisheries from a financial perspective, so there is an inherent focus to treat it as a primary industry.

The second thing it talks about is sustainability. My view, having been a former Minister for Fisheries, is that we have lost our way on marine environment sustainability. New South Wales is a practical example of that. South of the equator, New South Wales is a good example of how to badly manage fisheries, and we now see species that were regarded as rubbish fish when I was a kid being regarded as good table fish.

**Hon Giz Watson:** That's all that's left.

**Hon JON FORD:** That is right; it is because that is all that is left.

A practical example for Western Australia is hapuku. The poor old hapukus are deep-sea fish; they are so deep that if members catch one, or see them in the shops for about \$70 a kilo or more, they will see that their eyes are bulging out of their heads, because that is how deep they live in the water. There is no way they can survive the barotrauma when they are brought to the surface. Fishers have to have electric winches on hand reels to bring them up because they live at such depths—where is the sport in that?



I became aware of hapuku only when I became Minister for Fisheries. Why do we fish for hapuku? It is because we have fished out nannygai—that is why! Members should think about that next time they have a nannygai—it may be the last one they ever have. A good reason not to eat it would be that we want to get rid of the market. That is the net result of the way that fisheries and marine park management has been approached.

The failure in the current regime with regard to marine parks is that the Department of Environment and Conservation ignores those values—the interactions between those species, from benthic to demersal to pelagic—and just concentrates on mammals, because that is what the act limits it to. In fact, even if a marine park is declared, only the Minister for Fisheries can write the regulations to enforce the restrictions.

But on top of that, there is no interlink to inland rivers. I would not mind a dollar for every letter I received as Minister for Fisheries asking me to open the Wilson Inlet sandbar, or close it, or stop somebody from opening it, or stop somebody from closing it. Five agencies were involved, including the Department of Agriculture and Food. At one stage I had potato farmers saying that I had to open it because it was flooding their potato crops and they were rotting; and then I had other people saying that the river was losing oxygen so I needed to open it so that it was open to the sea. It seems to me that contemporary marine park planning has to include planning around rivers, the settlements of rivers, and the agricultural land and feeding areas into those rivers. It seems that when we look at projects such as the North West Shelf, we have to cast our minds further and think about the impact on the marine environment. If we start thinking like that, there is a case to say that perhaps we need a pattern of marine parks that have specific values to ensure the survival of a whole range of different species, but that has to start right up in the catchments. We talk about fertilisers and what should and should not be put in the Swan River, and the people of Western Australia live with that all the time.

We have to have an integrated approach. There must be integration in legislation and governance, but, more importantly, there must be focus on the management and preservation of the environment as the main reason that that governance exists, rather than looking at it from an exploitive perspective. I am not saying that we should not allow fishing, but the simple fact is that if we do not change our whole attitude to marine environment management, we will not have any fish or mammals.

Debate adjourned, pursuant to temporary orders.