



Speech by

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MEMBER FOR TABLELANDS

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FISHERIES AMENDMENT BILL

Ms LEE LONG (Tablelands—ONP) (12.52 pm): I rise to speak to the Fisheries Amendment Bill 2006. While my electorate of Tablelands is landlocked, this bill is still important as there are some 4,000 registered boats in my electorate, with very many of them used for fishing in one form or another. There are six objectives to this bill. They are to bring the existing shark control program under legislative control, to provide a compensation scheme for authority holders whose rights have been diminished or lost, although that compensation will be limited to consolidate various powers to make centralised less complex statutory regimes. A mechanism will be provided where authorities that have been issued can be automatically suspended or cancelled where there are outstanding fees. Certain restrictions on temporary quota transfers will be lifted and, finally, the chief executive will be given the power to sell seized live fish.

I note that there are several areas of this bill which are noted in the explanatory notes as challenging fundamental legislative principles. Eight points were raised. That is of significant concern to me, particularly the first area raised, that involving dealing with the procedures for making a new management plan. What is being proposed is the scrapping of any obligation for draft legislation to be released when amendments are proposed for a management plan that would involve a regulatory impact statement. The reasons, as spelt out in the notes, are that an RIS would already contain detailed information about policy options and the objectives of the proposed amendments. The argument goes on and claims—

... the concurrent release of a draft plan is counterproductive to effective consultation, creating an expectation that the draft legislation will always be the end result, diluting the effectiveness of other policy options canvassed in the RIS.

That is chilling stuff. What that argument boils down to is that the general public does not need to see what is being proposed, let alone have a say on it because the experts will have covered all possible options. We are supposed to live in a democracy of the people, not a fascist state. The definition of fascism is typified by totalitarian attempts to impose state control over all aspects of life—political, social, cultural and economic. And what do we have here?

There is a basic obligation on this government to involve the people. We hear words like 'transparency' and 'accountability' from this government, yet here is the dirty reality. This government thinks it is a waste of time to talk to people. The last thing it seems it wants to do is let Queenslanders have a say on the laws that might affect them. The explanatory notes make it even clearer. They go on to state—

The additional time it takes to prepare the draft and engage in consultation can also result in delays where there is a need to progress important amendments that have often already been under discussion between government and stakeholders for some time.

Clearly, this government does not want to hear from anyone but its own spin doctors, and these notes spell it out. The Beattie government thinks hearing from the people of Queensland is nothing more than a waste of time.

I turn now to the proposed amendments dealing with compensation which insert a new part 5, division 1A. This new part 5 provides for compensation to be payable in certain circumstances relating to a regulation or management plan. There are a number of areas of concern in this new part 5. Firstly, section 42A(1) excludes temporary transferees from the compensation because they do not have an enduring interest in the authority that may be affected. While I understand the argument, it leaves such temporary

transferees wide open to risk. For example, a temporary transferee may have paid a significant fee to operate under someone else's authority. A change to the regulatory environment which could happen with any chance for comment on a draft document could leave this temporary transferee without a viable operation, yet they would be excluded from any compensation. That is a highly unjust situation. Even if someone is the authority holder, their access to compensation is still limited under section 42B.

The example given raises concerns of its own. If someone was a commercial fisher and some or all of their allocation was, via a management plan, given to a recreational fishery, they may receive compensation. However, if it was reallocated to another commercial fishery there would be no right to compensation. This is bizarre. A commercial fisher with an authority to operate in a certain place may have established moorings, storage, transport and accommodation facilities nearby. To shift their authority to another fishery could easily impose massive expense, whether that authority was also reduced at the same time or not. There is no natural justice in this proposal at all.

It goes on to spell out how changes may be imposed on an authority to protect things other than fish, such as dugong. If a change like that restricted or prohibited the activity of commercial fishing, compensation might apply. However, if it did not limit the activity but instead simply made it less effective then no compensation will be available. The examples such as imposing the use of bycatch reduction devices or turtle excluder devices are recognised as reducing the level of catch, but the government's attitude is spelt out—

... if it does not actually restrict the exercise of an entitlement to undertake fishing activity, it will not give rise to an entitlement to claim compensation ...

If this government stops someone fishing for a living, they may get compensation, but if it simply sends them broke by the limitations it is imposing then that is just their tough luck. There is nothing left under the ALP government for honest, hardworking, average Queenslanders any more. Section 42C specifically excludes any general right to compensation by making amendment or repeal of a regulation or management plan outside the provisions of 42A. We had all better get used to eating catfish from polluted Asian rivers because we will not have an industry of our own left after this. Why should this be the case? The truth is that it should not be the case.

The United Nations figures show that for Australia our catch peaked more than a decade ago, and since then it has trended downwards. There is nothing to suggest that it has been caused by any collapse of the resource. In fact, global figures show a sustained take of around 90 million tonnes per annum, which has been essentially unchanged for almost 20 years. I am not arguing for unlimited fishing. I am saying there is strong evidence that we already have more than enough controls in place, especially in Australia and in Queensland.

Highly experienced fishers have brought a number of other factors to my attention as well, the first of which is perspective. We must remember that Australia has the third largest economic exclusion zone in the world. The size of our catch, when seen in that context, leaves a massive amount of room for growth. So why has our catch fallen in the past decade or so? Not because there are too few fish in the ocean. Instead, I am advised, it is the skyrocketing burden of regulatory control and other government enforced limits. Underpinning that has been a change in how fisheries are managed at the most basic level. Historically, the maximum sustainable yield as measured in the fishery itself was seen as the basis upon which all other decisions were made.

Sitting suspended from 1.00 pm to 2.30 pm.

Ms LEE LONG: I will continue on with the Fisheries Amendment Bill. I am advised that the new generation of 'theoretical' experts, wedded to computer models and assumptions with no 'real world' idea of what is going on, are drawing up plans and schemes that fit their academic beliefs and it is just too bad if they destroy lives, families and industries along the way. It is the same bitter pill that so many of our primary producers are forced to swallow. Here we impose restrictions, environmental standards, health and safety regulations, water fees, environmental flows and so on until it is unsustainable. Then we all trot off to the multinational supermarket and buy the cheap, unregulated, uncontrolled foreign imports and congratulate ourselves on saving a few cents on the grocery bill. It is a very bitter irony indeed that there is a chance that the cheap imports we buy will wind up being our fish caught in our waters by foreign invaders who seem to be able to plunder at will before heading back home to sell their catch. Would these people come so far at such risk to try their luck in a fishery that is short of fish? Of course not! They run that risk because they make big catches quickly from the rich resources we are busy telling our own fishermen not to touch—a very sick joke indeed.

I turn now to the question of protecting some of our endangered marine creatures. I have already mentioned turtle exclusion devices, and we are all familiar with the arguments about protecting dugong from trawlers and even boat strikes. However, I have come across figures from a national recreational angling survey from 2003 and was surprised to see the numbers for the take of dugong and turtles. According to the information I have, 1,600 dugong and 6,000 saltwater turtles were taken, along with an estimated 40,000 turtle eggs. Given the publicity and the outcry when the death of even a single dugong is

attributed to commercial fishers, these figures are cause for great concern. If this level of take is sustainable—and that may well be the case—then the additional few casualties from other causes can hardly be cause for concern. Alternatively, if one or two deaths annually caused by fishing and boating are of major concern, then 1,600 must be a catastrophe. I am not taking sides on this issue, simply pointing out that one or the other situation must be the case. They simply cannot both apply at the same time.

This is the kind of woolly science that plagues not just fisheries management but all of primary production. We have the cleanest, greenest, most responsible farmers, producers and fishers on the planet giving us the best meat, produce and seafood in the world. We should stop inflicting the death of 1,000 theories on them and let them get on with what they do and know best.