




Speech By
Brent Mickelberg

MEMBER FOR BUDERIM

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FISHERIES (SUSTAINABLE FISHERIES STRATEGY) AMENDMENT BILL

 **Mr MICKELBERG** (Buderim—LNP) (11.39 am): I rise to contribute to the debate in relation to the Fisheries (Sustainable Fisheries Strategy) Amendment Bill 2018. As a member of the State Development, Natural Resources and Agricultural Industry Development Committee which considered this bill, I would like to recognise the many commercial fishers, departmental staff and industry representatives who appeared before the committee at hearings in Cairns, Scarborough and Brisbane. I would also like to recognise the tireless work of committee secretariat staff Jacqui Dewar and Natasha Mitchenson, who, as always, provided capable support to assist the committee in its work.

I would like to recognise the work of my fellow committee members, the members for Bancroft, Condamine, Bundaberg, Ipswich West and Mount Ommaney. On this bill the committee arrived at some constructive recommendations, which is why it is so disappointing to see that the minister ignored all of those recommendations and the views of his Labor colleagues the members for Bancroft, Ipswich West and Mount Ommaney.

The LNP know how important it is to support our fishers. We know that it is important to get the balance right between sustaining a viable commercial fishing industry, supporting recreational fishers and managing environmental considerations. That is why I was pleased to see that many aspects of this bill are consistent with the recommendations made by the independent *Taking stock: modernising fisheries management in Queensland* report which was commissioned by MRAG in December 2014. It is clear that many of the provisions contained within the bill have community and industry support. However, many submitters expressed concerns with regard to the manner in which the provisions in this bill are being implemented.

The main issue that came up time and time again during the committee hearings was around the proposed vessel monitoring system, VMS, compliance requirements. The fishing industry expressed concerns around the cost, suitability and reliability of proposed VMS devices and expressed concerns around the penalties and security associated with their intellectual property.

While I recognise that arguments exist to support the use of VMS, the manner in which the government has gone about its introduction has been nothing short of farcical. We saw the government introduce regulation on Thursday, 8 November which required the VMS to be fitted from 1 January, yet no penalties would apply because they are contained within this legislation. This incompetent minister is so disorganised that he passed regulation without any penalties to enforce it.

I add that the department's approach in relation to VMS during the consultation period was disingenuous, particularly given that they were not forthcoming with the plan to roll out VMS using regulation rather than wait until this piece of legislation had been debated and passed.

I find it somewhat curious that the government will not support the LNP's policy to GPS-track serious sex offenders but it does not have any concerns requiring commercial fishermen to do exactly that. Apparently, the rights of recidivist sex offenders like Robert Fardon come before those of commercial fishermen. That is perverse logic if ever I have heard it.

The entire VMS rollout has been an exhibition in how not to implement public policy. We have heard multiple examples of faulty VMS responders, shonky government authorised suppliers and general mismanagement from the department. The new regulations mean that fishermen are not permitted to earn a living while their VMSs are broken or not in operation. It is a situation that has occurred countless times since their introduction. It is important to note that many of these commercial fishermen are simply mum-and-dad small businesses scraping out a living on small fishing boats, not large-scale trawler operations.

The concerns around intellectual property which were expressed during the consultation period are legitimate, and the value of fishing spots was quantified during the committee hearings. Such intellectual property is built up over many years of fishing experience and represents the competitive advantage which makes some fishermen more successful than others. We have heard that breaches of the supposedly secure facility used to store VMS data have already occurred, so clearly their concerns are justified. Should such data be mishandled, either deliberately or otherwise, the penalty that applies should be significant enough to reflect the value that resides in the intellectual property. The opposition members of the committee believe that the penalty for releasing such information should match the penalty applied to fishermen who breach the VMS provisions. That the minister has chosen to ignore this considered proposal, which was supported by those fisheries officers we met with when floating around on Moreton Bay, is disappointing. Surely it is reasonable that the same standard should apply to public servants as applies to small-scale commercial fishermen.

Additional concerns were raised in submissions to the committee as to what related to a commercial quantity, which is an important consideration in combating black market activity. Stakeholders raised concerns that the figure of five times the recreational limit or weight equivalent was not adequate, particularly in relation to high-value species such as tropical rock lobster and coral trout. In the case of tropical rock lobster, five times the recreational catch would equate to 25 lobster, worth around \$4½ thousand on current market prices. Opposition members believe that a commercial quantity should be reduced from five times to two times the recreational limit or weight equivalent. Let's be clear: what we are talking about here is a shift from 500 per cent of the legal catch to double the legal catch. If an individual has double the legal catch, it is not an accident. I am disappointed that the minister does not share the view of the committee that the current definition of 'commercial quantity' is too high and that he has not amended the proposed definition. I note the feedback received from fisheries officers we met with on Moreton Bay who indicated they were supportive of lowering this threshold. Those were the same officers that the minister was happy to pose with for a media opportunity on Tuesday, but he clearly does not think their views merit listening to.

During a public hearing the committee heard from a lifetime master fisherman, Mr Reid. Mr Reid expressed significant concerns about this legislation across the day. Although he was not initially on the speaking list, it was right that he had the opportunity to place his concerns on the record. For that decision I acknowledge the discretion exercised by the chair, the member for Bancroft. Unfortunately I do not have time to detail all of Mr Reid's concerns, but *Hansard* makes for illuminating reading. Mr Reid had considerable concerns about the penalties that apply to commercial fishermen in relation to VMS indiscretions. Mr Reid said it best when he said—

The fine does not fit the crime.

People get fined \$700 or \$600 for drink-driving and they are over the bloody limit. They are driving without a licence. You are going to talk about all the new fines for VMS. VMS is a system whereby when it breaks down you have to come home. They are unreliable. They are expensive. You are asking fishermen to pay for it, which is \$47 a month, or whatever it is, for recording it. They should not have to pay at all. Even a paedophile who has to wear a VMS device around his ankle does not pay for that. Why should the bloody fishermen have to pay? All it is is reducing their viability.

Mr DEPUTY SPEAKER (Mr Whiting): Order! Thank you, member for Buderim. I know that you are quoting what a witness said at a hearing, but I caution you on repeating every single word he did say.

Mr MICKELBERG: I take your caution. I support the considered amendments circulated by the shadow minister for agriculture, fisheries and forestry. I call on the minister to listen to the views of industry stakeholders and his Labor colleagues the members for Bancroft, Ipswich West and Mount Ommaney and support the amendments which were proposed by the committee and the amendments introduced by the shadow minister which aim to implement the committee's recommendations.