

Anita Leahy

Fraser Coast Tourism Board

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From: Gavin Elphinstone [gavin.elphinstone@epa.qld.gov.au]
Sent: Thursday, 10 March 2005 3:24 PM
To: carissa.mason@ministerial.qld.gov.au
Cc: Claire Kinnane; Anita Leahy; Linda Bradby; Berlinda Ezzy; nick.heath@ministerial.qld.gov.au
Subject: Response to Fraser Coast South Burnett Regional Tourism Boards' submission in regards to the proposed Great Sandy Marine Park

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Carissa

Initial response to Fraser Coast Tourism Board submission. Happy to discuss further.

Gavin Elphinstone

Manager, Marine and Coastal Planning

Planning Division

Environmental Protection Agency

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KEY ISSUES – FRASER COAST TOURISM BOARD¹

Marked negative impact on tourism as it will restrict fishing charters

- Approximately 96% of the marine park is proposed to be available to recreational fishing, which includes operating a fishing charter.
- The only areas where fishing is prohibited is within the marine national park zones (green zones) which cover 3.81% of the total marine park. Trolling is also allowed in buffer zones (e.g. Wolf Rock and Burkitt's Reef).
- Within the submission, all marine park zones are agreed with apart from one zone over parts of reefs off Rooney Point where boundary changes are sought.
- Within the conservation park zones recreational fishing will be restricted to one line/one hook per person. This is consistent with the Commonwealth Great Barrier Reef Marine Park and the Great Barrier Reef Coast Marine Park (State).

Comment: Concern not substantiated as 96% of the marine park will be accessible to charter operators and the submission agrees with all but one of the marine national park zones that prohibit access.

Marked negative impact on tourism as it will restrict whale watching

- Whale watching is currently regulated under the existing Hervey Bay Marine Park.
- Requirements for whale watching permits and associated fees are set out under the existing *Marine Parks Regulation 1990*.
- No change is proposed to the whale watching industry.

Comment: Concern not substantiated as no major changes are proposed to the current system of dealing with whale watching.

Marked negative impact on tourism as it will restrict aviation

- The use of aircraft for a tourism program will require a marine park permit in all zones.
- Depending on the nature of the proposal and type of aircraft permit conditions may be applied.
- While the zoning plan does not prohibit the landing of aircraft in any zone, the permit conditions may do so if this is appropriate or necessary.
- The existing Hervey Bay and Woongarra Marine Parks already deal with tourism aircraft below 500ft, therefore regulating aircraft for tourist operations is already undertaken.
- The GSMP-NS approach to aircraft is consistent with the Commonwealth Great Barrier Reef Marine Park and the Great Barrier Reef Coast Marine Park (State).
- The requirement for a permit does not restrict aviation but ensures that it occurs in an appropriate manner. Aircraft that are not conducting a tourism program in the marine park, and do not fit into the category of a 'managed vessel', will not require a marine park permit.
- The requirement for some types of 'managed vessels or aircraft' (e.g. hovercraft, wing-in-ground-effect craft, hydrofoils) to require a permit in all zones is also

¹ Detailed recommendations are made within the submission which are not specifically dealt with in this response.

consistent with the Commonwealth Great Barrier Reef Marine Park and the Great Barrier Reef Coast Marine Park (State).

Comment: Concern not substantiated aircraft already require permits in the existing Hervey Bay and Woongarra Marine Parks and the requirement for a permit ensures operations are undertaken appropriately.

New permits will add a further cost impediment on operators

- Tourism operations will require a marine park permit in all zones of the marine park.
- This is consistent with the Commonwealth Great Barrier Reef Marine Park and other State marine parks including the Great Barrier Reef Coast Marine Park (State).
- This ensures equity between tourism operators – whale-watching operations and others currently pay permit fees.
- The requirement for tourist operators to obtain a marine park permit is not new. For example, within the existing Woongarra Marine Park Habitat Protection and Conservation Park Zones tourism operations currently require a permit and are required to pay a fee.
- This ensures commercial activities are adequately assessed and State is compensated in a minor way for providing commercial benefits to tourism operators for the use of state waters and land.
- Fees for assessment of applications to conduct a tourism operation are set out under the *Marine Parks Regulation 1990*.
- Given the substantial natural values of the area, it is unlikely that a relatively small permit assessment fee will discourage tourism operations. There is no evidence from other Queensland marine parks to suggest that the permit assessment fee discourages tourism activity.

Comment: concern not substantiated, as it is unlikely that the requirement for a permit will affect tourism operators.

If the current Plan goes ahead tourism visitation and ultimately employment in the tourism industry will be heavily reduced.

- Establishment of a marine park raises the profile of an area for marine tourism and broadens the local economic options. Well-managed marine parks are often major tourist attractions and local communities can receive economic benefit through employment in the tourism industry.
- The Government believes that the proposed marine park will have a positive impact on tourism visitation levels and employment in the tourism industry. It is anticipated that whale watching, fishing charters, scuba diving industries, general tour operators and related industries such as suppliers of bait, food and fuel will benefit through this increased profile.
- The zoning plan offers greater security for tourism in the region by expanding the potential for sustainable nature-based tourism through conserving significant habitats and regulating activities including through marine park permits.
- It is very unclear how improvement in management of the area (which the new zoning plan provides) could result in such a scenario, particularly when the area is experiencing tourism growth (e.g. see p5).

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Comment: concern not substantiated by any empirical evidence, as it is likely that the declaration of a marine park will increase the international and national tourism profile of the area resulting in greater visitation.

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Response to Fraser Coast South Burnett Regional Tourism Boards' submission in regards to the proposed Great Sandy Marine Park.

The Fraser Coast Tourism Board's submission was received by the Marine and Coastal Planning Unit via email on 10 March 2005.

The following is a summary of the submission relating to impacts on the tourism sector and jobs in the region.

- 8,913 full-time equivalent jobs or up to 15,000 people employed in tourism on the Fraser Coast.
- Vitally important these jobs and future potential jobs in the Fraser Coast tourism industry are protected.
- Agrees zoning plan should be the preferred option for managing the values of the Great Sandy region but disagrees with the estimated impact the current proposed Plan will have on tourism.
- The proposed Plan seems to be inequitable as it has little or no impact on some industries yet it will have a **marked negative financial impact on tourism** as it will **restrict fishing charters, whale watching, aviation** and other operators.

Response

Tourism operations will require a marine park permit in all zones of the marine park. This is consistent with the Commonwealth Great Barrier Reef Marine Park and all other State marine parks including the Great Barrier Reef Coast Marine Park and Moreton Bay Marine Park. Fees for tourism operations are set out under the Marine Parks Regulation 1990.

Approximately 96% of the marine park is proposed to be available to recreational fishing which includes operating a fishing charter. The only areas where fishing is prohibited is within the marine national park zones (green zones) which cover 3.81% of the total marine park. Within the conservation park zones recreational fishing will be restricted to one line/one hook per person.

Whale watching is currently regulated under the existing Hervey Bay Marine Park. Requirements for whale watching permits and associated fees are set out under the Marine Parks Regulation 1990. No change is proposed to the whale watching industry.

The use of aircraft for a tourism program will require a marine park permit in all zones. Depending on the nature of the proposal and type of aircraft permit conditions may be applied. The existing Hervey Bay Marine Park deals with tourism aircraft, therefore regulating aircraft for tourist operations is not something new. Managed aircrafts and vessels (which includes things like hovercraft) will also require a marine park permit.

- If the current Plan goes ahead tourism visitation and ultimately employment in the tourism industry will be heavily reduced.

Response

The Government believes that the proposed marine park will have a positive impact on tourism visitation levels and employment in the tourism industry. It is anticipated that whale watching, fishing charters, scuba diving industries, general tour operators and related industries such as suppliers of bait, food and fuel will benefit from the introduction of a marine park and proposed zoning plan.

Establishment of a marine park raises the profile of an area for marine tourism and broadens the local economic options. Well managed marine parks are often major tourist attractions and local communities can receive economic benefit through employment in the tourism industry.

The zoning plan offers greater security for tourism in the region by expanding the potential for sustainable nature-based tourism through conserving significant habitats and regulating activities including through marine park permits.

- New permits will add a further cost impediment on operators and ultimately visitors.

The requirement for tourist operators to obtain a marine park permit is not new. Within the existing Woongarra Marine Park and Hervey Bay Marine Park tourism operations currently require a permit and are required to pay a fee. Fees for tourism operations are also already set out under the Marine Parks Regulation 1990.

The costs of permits for tourist operations is considered minimal.

The initial permit fee for tourist operations that do not involve whale watching start at \$440 for 1-24 passengers and go up to \$3,200 for 151 passengers or more.

To apply for the continuation of a permit, fees range from \$440 for 1-24 passengers and go up to \$1,280 for 151 passengers or more. This renewed permit may last for up to an average of 5 years, so this is a one off fee for that entire period.

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Marine Parks Legislation Presentation and Workshop

Tuesday 18 February 2005
Venue: Auditorium Level 15, 160 Ann Street

Agenda

- 9.30am Welcome and Introduction
- 9.45am Great Barrier Reef Coast Marine Park Presentation
- A presentation on the key aspects for adopting a complementary zoning approach to the Commonwealth and Great Barrier Reef Coast Marine Park specific provisions.
- 11.00am **Morning Tea**
- 11.15am *Marine Parks Act 2004* Presentation
- A presentation on the commencement and provisions of the new Act.
- 12.45pm **Lunch**
- 1.30pm Towards a new Marine Parks Regulation Presentation
- An overview of the regulation review
- 2.00pm Regulation review discussion and workshop
- A structured workshop designed to identify the need for regulatory reform in relation to marine park permits, compliance, planning and management.
- 4.30pm Close

(Morning Tea, lunch and afternoon tea will be provided)

(Presentations and workshop coordinated by officers of the Conservation Policy Branch, Policy Division – for further information please contact James Murphy on 3227 6124)

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Zoning Plan	Objective	Comparison with other zoning plans
Great Barrier Reef Marine Park Zoning Plan 2003	<p>The objective of this zoning plan for the Conservation Park Zone are:</p> <p>(a) to provide for the conservation of areas of the Marine Park; and</p> <p>(b) subject to the objective mentioned in paragraph (a) to provide opportunities for reasonable use and enjoyment including limited extractive use.</p> <ul style="list-style-type: none"> The principle difference between the drafting of the objective for this zone in the GBRMP and MB MP is the presence of the cardinal principle in the GBRMP objective. 	<p>Following activities are prohibited unless it can be proven that they are consistent with the objective of this zone:</p> <ul style="list-style-type: none"> trawling exploring or mining for minerals netting (other than bait netting) developmental fishing programs <u>line fishing other than using 1 hand-held rod or handline with no more than 1 hook</u> aquaculture operations involving the addition of feed trolling other than "permitted trolling" trapping other than limited trapping spearfishing other than limited spearfishing operating a facility that is inconsistent with the objective of the zone carrying out works for a purpose that is inconsistent with the purpose of the zone.
Great Barrier Reef Coast Marine Park Zoning Plan 2004	<p>The objectives for the conservation park zone are—</p> <p>(a) to provide for the conservation of the areas of the marine park within the zone; and</p> <p>(b) subject to the objective mentioned in paragraph (a), to provide opportunities for reasonable use and enjoyment, including, for example, limited extractive use, of the areas.</p> <ul style="list-style-type: none"> Although the GBR Coast MP adopts the same objective as the GBRMP protection in this zone has actually been down graded with the addition of conservation park line fishing areas. 	<p>Following activities are prohibited commercial netting</p> <ul style="list-style-type: none"> as per GRBMP except <u>line fishing other than using 2 hand-held rods or handlines with no more than 1 hook per line</u> <p>The following activities which are prohibited in other parks unless it can be proven to be consistent with the objectives of the zone, are permitted in the GBR (Coast) MP within this zone:</p> <ul style="list-style-type: none"> Commercial crabbing may be conducted as-of-right in 'commercial crab fishery areas' in compliance with Fisheries Regulations
Moreton Bay Marine Park Zoning Plan 1997	<p>The objectives of conservation zones are to:</p> <ul style="list-style-type: none"> conserve the zone's cultural and natural resources and amenity values; and conserve the zone's natural condition to the greatest possible extent; and allow members of the public to enjoy the relatively undisturbed nature of the zone; and ensure use of the zone's natural resources is ecologically sustainable <ul style="list-style-type: none"> The objectives for conservation zone in MB MP are stronger than those in the GBRMP and GBR Coast MP, although this is not reflected in the use and entry provisions. 	<p>Following activities are prohibited:</p> <ul style="list-style-type: none"> trawling exploring or mining for minerals carrying out major works other than in a major works management area spearfishing involving the taking of declared animals operating a facility that is inconsistent with the objective of the zone navigating a personal watercraft outside a navigation channel organising, promoting or carrying out a competition for motorized boats, hovercraft or personal water craft not under an authority granted under the <i>Transport Operations (Marine Safety) Act 1994</i> <p>The following activities which are prohibited in other parks unless it can be proven to be consistent with the objectives of the zone, are permitted in Moreton Bay within this zone:</p> <ul style="list-style-type: none"> all fishing activities except trawling can be conducted as-of-right. carrying out a boat, ferry or water taxi service for transfer of passengers and vehicles can be conducted as-of-right navigation of ships can occur as-of-right

Use and Entry categories		Park where activity can occur As-of-Right	Park where activity requires permit
FISHING	organising, promoting or carrying out a commercial fishing competition		Moreton
	bait netting	GBRMP, GBR Coast MP	
	fishing other than trawling	Moreton	
	limited line fishing by a person using no more than 2 hand-held rods or handlines, each line having no more than 1 hook, artificial fly or lure	GBR (Coast) MP	
	limited line fishing by a person using no more than 1 hand-held rods or handlines, each line having no more than 1 hook	GBRMP	
	trolling	GBRMP, GBR Coast MP	
	operating a fishing industry service vessel (transferring goods and services to and from commercial fishing vessels)		GBRMP, GBR Coast MP
	Spearfishing not using a power-head or a firearm or a light or an underwaterbreathing apparatus (except a snorkel)	GBRMP, GBR Coast MP	
	Limited trapping	GBRMP, GBR Coast MP	
	A person may enter a conservation park line fishing area for limited line fishing (not more than 2 prescribed instruments)	GBR Coast MP	
	Commercial crabbing, in a commercial crab fishery area and in compliance with the provisions of Fisheries Regulations.	GBR Coast MP	

NB under the GBRMP ZP all types of permitted are listed, while in the Moreton Bay ZP, all fishing is included with the exception of trawling.

GBRMP ZP

2.4.3 Use or entry without permission

(b) fishing or collecting involving: trolling; or limited line fishing; or limited spearfishing; or bait netting; or limited trapping; or limited collecting; taking in accordance with any of the following fisheries that is an accredited harvest fishery:

- (A) the Aquarium Fish Fishery;
- (B) the Coral Fishery;
- (C) the Worm Fishery (Beachworm);

MB ZP

20 Entry or use of conservation zone without permission

A person may enter or use a conservation zone without permission for the following purposes—

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(c) fishing, other than trawling;

COLLECTING	recreational bait gathering	Moreton Bay	
	collecting, including, for example, collecting for a commercial purpose under an authority for an aquarium fish fishery under the <i>Fisheries Act 1994</i>		Moreton Bay
	collecting involving limited collecting of shells, fish and invertebrates not coral	Moreton Bay	
	limited collecting	GBRMP, GBR Coast MP	
	taking in accordance with any of the following accredited fisheries that is an accredited harvest fishery. (a) the Aquarium Fish Fishery (b) the Coral fishery (c) the Worm Fishery (beachworm)	GBRMP, GBR Coast MP	
	taking in accordance with any of the following accredited fisheries that is an accredited harvest fishery. (a) the Aquarium Fish Fishery (b) the Coral fishery (c) the Worm Fishery (beachworm)		GBRMP, GBR Coast MP
INDIGENOUS	traditional use of marine resources other than as-of-right activities		GBRMP, GBR Coast MP
	if the person is a traditional inhabitant of Moreton Bay - traditional fishing, hunting or gathering		Moreton Bay
	traditional use of marine resources involving an activity otherwise permitted under this section or in accordance with (1) an accredited traditional use of marine resources, and (2) any requirements relating to the operation of that agreement prescribed in the Regulations	GBRMP, GBR Coast MP	
FARMING	operating an oyster ground		Moreton Bay
	Conducting an aquaculture operation that does not include the addition of feed		GBRMP, GBR Coast MP

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NB the definition of “**oyster ground**” (means a facility composed of platforms and stakes for oyster production) in the Moreton Bay ZP would fall under the definition of aquaculture operation in the GBRMP Zoning Plan

aquaculture operation means an operation for the propagation, rearing, keeping, growing or breeding of an aquatic animal (including a fish, crustacean, reptile or mollusc) or plant, or other marine

RESEARCH	limited impact research	GBRMP, GBR Coast MP	
	non- manipulative research	Moreton Bay	
	research other than limited impact research		Moreton Bay, GBRMP, GBR Coast MP
	Carrying out manipulative research		Moreton Bay

TOURISM, EDUCATION, FILMING, PHOTOGRAPHY	conduct of an educational program other than a limited educational program		GBRMP, GBR Coast MP
	conduct of a limited educational program	GBRMP, GBR Coast MP	
	photography, filming or sound recording that does not involve the taking of marine products or disturb or impair the usefulness of the zone	Moreton Bay	
	photography, filming and/or sound recording	GBRMP, GBR Coast MP	
	conduct of a tourist program		Moreton Bay, GBRMP, GBR Coast MP
	conduct of a commercial whale watching program		Moreton Bay
	carrying out a commercial activity involving hovercraft		Moreton Bay

INFRASTRUCTURE	the operation of a facility for a purpose which is consistent with meeting the objective of the Zone including discharge of waste from that facility; the building, assembling, fixing in position, maintenance or demolition of that facility; the construction or conduct of mooring facilities for vessels or the operation of a landing area or facility for aircraft		Moreton Bay, GBRMP, GBR Coast MP
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TRANSPORT OPERATIONS	at an approved mooring - mooring or anchoring a vessel	Moreton Bay	
	at a place other than an approved mooring - mooring or anchoring a vessel for 30 days or less in any period of 60 days but not more than 14 consecutive days in 1 location	Moreton Bay	
	at an approved mooring or a constructed airport, airstrip or helipad - mooring or parking an aircraft	Moreton Bay	
	at a place other than an approved mooring or a constructed airport, airstrip or helipad - mooring or parking an aircraft for 30 days or less in any period of 60 days but more than 14 consecutive days in 1 location	Moreton Bay	
	at a place other than an approved mooring - mooring or anchoring a vessel for more than 30 days in any 60 day period or for more than 14 consecutive days in the 1 location		Moreton Bay
	at a place other than an approved mooring or a constructed airport, airstrip or helipad - mooring or parking an aircraft from more than 30 days in any 60 day period or for more than 14 consecutive days in the 1 location		Moreton Bay
	the operation of a vessel or aircraft in the one vicinity for more than 14 consecutive days; or for more than 30 days in any period of 60 days		GBRMP, GBR Coast MP
	carrying out a boat, ferry or water taxi service (other than a service involving a hovercraft) for transfer passengers or transfer vehicles	Moreton Bay	
	navigation of aircraft or vessels (except a ship or a managed vessel or aircraft) provided that any equipment which is normally used for fishing or collecting is stowed or secured at all times at which the vessel or aircraft is in a part of the Zone in which the use of the equipment is not permitted under the Zoning Plan	GBRMP, GBR Coast MP	
	operating a vessel or aircraft charter operation		GBRMP, GBR Coast MP

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TRANSPORT OPERATIONS	navigating a submersible boat		Moreton Bay
	navigating a boat, other than a submersible boat	Moreton Bay	
	navigating a personal water craft in a navigation channel	Moreton Bay	
	the operation of an aircraft at an altitude of not less than 500ft above ground or water.	Moreton Bay	
	the operation of an aircraft at an altitude of less than 500ft above the ground or water		Moreton Bay
	operating an aircraft, including, for example, taking off from, or landing at, a constructed airport, airstrip or helipad	Moreton Bay	
	taking off from, or landing at, a place other than a constructed airport, airstrip or helipad in an aircraft		Moreton Bay
	organising, promoting or carrying out a competition for motorised boats, hovercraft or personal water craft under an authority granted under the <i>Transport Operations (Marine Safety) Act 1994</i>	Moreton Bay	
	organising, promoting or carrying out speed trials for motorised boats under an authority granted under the <i>Transport Operations (Marine Safety) Act 1994</i>	Moreton Bay	
	navigating a hovercraft in a navigation channel other than for a commercial purpose	Moreton Bay	
	navigating a hovercraft outside a navigation channel		Moreton
	navigating a ship, or a managed vessel or aircraft		GBRMP, GBR Coast MP

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EXTRACTION AND DISPOSAL	discharging waste		Moreton Bay
	the carrying out works for a purpose which is consistent with meeting the objective of the Zone		GBRMP, GBR Coast MP
	performing minor works consistent with the purpose of the zone		Moreton Bay
	performing major works within a designated works area		Moreton Bay
	dredging a navigation channel to maintain the profile of the channel under a Harbours Act sanction		Moreton Bay
	within a designated navigation and port area - carrying out dredging for navigation purposes and disposing of the dredged material in a way that is consistent with the purpose of the area		Moreton Bay
	extracting water for a commercial purpose		Moreton Bay
	carrying out an activity to preserve, maintain and keep clean an access channel for a canal under the <i>Canals Act 1958</i>		Moreton Bay

MISCELLANEOUS	programs for the taking of animals or plants which pose a threat to human life or safety, or marine or island ecosystems which are part of the Marine Park; or the use and amenity of an area or of adjacent areas		Moreton Bay, GBRMP, GBR Coast MP
	introducing or adding animals, plants or other organisms		Moreton Bay
	carrying out an activity that disturbs or impairs the value or usefulness of the zone		Moreton Bay
	low impact recreational activities that do not involve the taking of plants, animals or marine products	GBRMP, GBR Coast MP	
	organising, promoting or carrying out an organised event that does not involve the taking of marine products or disturb or impair the value or usefulness of the zone.		Moreton Bay
	recreational, educational, cultural or spiritual activity that does not involve the taking of marine products or disturb or impair the value or usefulness of the zone	Moreton Bay	
	any other purpose that is consistent with meeting the objectives of this zoning plan for the Zone and not as-of-right, other than an activity which the Regulations prescribes.		GBRMP, GBR Coast MP