

A Primary Industry Perspective on ESD – Achieving Equitable Reform for the Common Interest

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Introduction

There are three dams in the Burnett River, with a new one on the way. Industrial and agricultural pollution makes its way to the river by point-source and leaching effects. Diversion of estuarine flows from the northern bank of the river in the 1960s has modified a once extensive saltmarsh wetland into mangrove forest. In the 1960s, the Burnett River supported around 30 full-time fishermen. In little more than 20 years it has become so degraded that it now supports no more than one full-time, and a handful of part-time, fishermen. Local fishermen have not seen a 'Burnett River' salmon in the Burnett River for many years. This is representative of many of Queensland's major rivers, particularly in northern and central regions. Consequently, loss of wetland habitat, degradation of water quality and modification of water flows are very serious issues for the fishing industry.

The Queensland Commercial Fishermen's Organisation's (QCFO) State Environment Committee has a policy which outlines the QCFO's position in relation to environmental issues, including wetland protection and water quality (attached). However, QCFO believe that there is a more pressing problem which needs to be addressed before we can hope to achieve equitable reform of coastal zone primary industries for the common good.

QCFO believe that the economic, social and environmental goals inherent in ESD can be achieved only through a clear, and certain process of cross-sectoral dialogue. Process should be regarded as a tool, rather than an end. Process is the alternative to the divisive binary model of conflict resolution. The direct involvement of working men and women in the decision-making process ensures acceptance of the outcome. Lessons learned in Queensland fisheries management may help to establish such a process. The alternative is alienation, political intervention and lose-lose outcomes.

Legislative and Institutional Issues

In Queensland, the 'coastal zone' is managed in part by all three levels of government (federal, state and local) by a range of agencies with various jurisdictions. There are at least four state agencies with jurisdiction (QDNR, QDoE, QDPI, QDoT), at least three federal agencies (Environment Australia, the Great Barrier Reef Marine Park Authority (to low water mark)), and of course, local governments. In the far north, there is also the Wet Tropics Management Authority.

In 1991, there were in excess of 50 separate pieces of resource legislation controlling activities in the coastal zone. This figure has since increased with the introduction of the *Nature Conservation Act 1992*, the *Fisheries Act 1994* and *Fisheries Regulation 1995*, the *Environmental Protection Act 1994*, the *Coastal Protection and Management Act 1995* etc.

This complexity reflects the inability of command economy institutional arrangements to deliver the communities long-standing wish to have balanced resource management. It is symptomatic of poor inter-agency coordination and bureaucratic segregation of the boundaries of natural systems.

Ad hoc planning hinders progress toward achieving ESD and almost always results in political resolution. The current workshop proceedings is an interesting case in point. QCFO were initially led to believe that the workshop was a low-key event revolving around a discussion on the issue of wetland protection. However, far from being low-key, the event was considerably large involving some 29 interest groups.

The purpose of the workshop was never clear. The groups invited to attend the workshop were not representative of coastal zone user-groups (CANEGROWERS were the only agricultural sector present). The workshop proceeded without an objective and/or goal. The agenda was changed several times at the last minute. There was a serious breakdown in communication between key players.

During the workshop there was a last minute change to the agenda which led to the development of an 'agreement' on main points. The 'agreement' made at the workshop has subsequently been modified as there is not even consensus about the record of the meeting (GBRMPA draft *Babinda Statement of Intent*). In order to 'maintain the momentum created by the successful workshop', GBRMPA are now referring to the agreement as *The Babinda Statement of Intent*. Capitalising on 'the momentum' when there is not consensus, is clearly a political motive. This workshop was 'ad hocery' at its finest. Consequently, the outcome is unclear.

Under current institutional arrangements win-win outcomes are very rarely achieved, therefore it is understandable that concerned parties want to take every opportunity to 'capitalise on the momentum'. However, binary politics have not worked to resolve these issues effectively in the past, and will not successfully take us into the future.

Consequently, QCFO believe there is a critical and urgent need for legislative and institutional reform in some key natural resource jurisdictions in Australia. ESD is not incorporated in many key pieces of resource legislation, including the 23-year old *Great Barrier Reef Marine Park Act 1975* and the *Queensland Marine Parks Act 1982*. It might be argued that the 1995 amendment to the *Great Barrier Reef Marine Park Act* went some way to incorporating ESD as it makes reference to the 'Precautionary Principle'. However, proper application of ESD requires holistic incorporation of all principles, rather than picking and choosing elements from the whole to suit the particular agenda.

In order to address these issues in an effective way, what is needed is a planning process which has clear direction and well-defined goals, and a timeframe for progress which allows businesses to adjust and plan for their future.

Certainty in Planning – Meeting the Goals of Business and ESD

In order for reef-dependent businesses and other businesses capable of influencing marine-habitat (e.g. canegrowers, grazing, aquaculture etc.) to invest with confidence and to provide employment, certainty in planning is required as a matter of urgency. What is needed is a clear, well sign-posted and progressive program of manager/user/interest group interaction.

Successful conflict management reduces the need for political intervention, and optimises the opportunity for the best outcome in terms of achieving ESD (it is often forgotten that economic and social considerations are integral to ESD). Successful planning results from industry having confidence and equal partnership in negotiation processes.

Coordinating agencies can have a dramatic influence on the level of industry confidence in the process. Last minute changes to the agenda do not bring the outcome forward. Inevitably, the process goes political.

Lessons that QCFO have learned in fisheries planning and management can be applied to other resource sectors, such as grazing and cane growing. At first, industry is only lightly regulated - all that is needed is a permit/authority which are usually readily available. High profits often encourage more entry into new or developing resources. Over-exploitation and/or reduction in productivity increases pressure on under-utilised or less-developed resources. Continuing increases in investment in gear, plant and equipment and advances in technology lead to the escalation of pressures on the resource, and the realisation of potential conflict between sectors/interests.

The usual response by government/bureaucracy is to restrict entry, introduce new controls, increase regulations and add disincentives to resource exploitation. The results are not always successful in reducing conflict or achieving ESD. Almost always, the result for industry is an increase in pressure to utilise resources (and/or cut costs) to achieve a profit. The goals of economic efficiency and ecological integrity are therefore inextricably linked, but the relationship is complex. Process offers a way through the complexity.

Accommodating the Concerns of Business

Resource Industries have actively participated in the environment debate in Australia for well over a decade. Industry generally is aware of the issues and of the importance of ESD, the 'precautionary principle' and the concept of 'inter-generational equity', although there is always room for progress. However, there are few exceptions to the observation that most resource sectors have progressed without achieving the desired balance between conservation and utilisation. A contemporary example is the dugong-net fishing issue.

QCFO contend that this general failure to achieve a balance is a result of an imbalance in the process of negotiation/consultation/discussion between managers, users and interest groups. The conflict is usually triggered by concern over the sustainability of the resource and an absence of concern about the peculiar characteristics of the industry which relies on it. The tendency therefore is for the focus to be on ecological/environmental/habitat issues, rather than economics, or the practical operational side of a business, or a combination.

There are many examples of ESD negotiations being conducted in the absence of information about the businesses which use the resource. There is an imbalance from the outset of negotiations which is inevitably reflected in the outcome. The imbalance results from considering ecological issues in isolation from economic and social issues. This is something which business understands, but which the conservation movement, particularly in Queensland, has failed to grasp.

The advisory and consultative framework established by the *Queensland Fisheries Act 1994* goes considerably toward restoring balance in resource decision-making and offers a degree of certainty in business planning. The framework should be considered as an alternative model to deliver sustainable reform in other jurisdictions such as environmental protection and conservation agencies.

Conclusion

The Babinda workshop presented an opportunity for parties to mutually agree on a process of genuine consultation to which each interest could claim some ownership. However, from the outset, this required a clear understanding of the 'problem' and clearly stated goals and objectives.

The workshop agreed on the need for 'preservation of wetlands' and to 'stop pre-emptive clearing'. Yet, not surprisingly, this has not been achieved. Voting for a moratorium on clearing would have also failed and taken us back to the placard movement of early 1980s.

What could have been achieved was agreement on a process of consultation toward a mutually shared goal which would meet the needs of all interests. From the point of view of industry, this requires an understanding of the steps in the consultation process, and an understanding of industries' needs.

If there is general agreement that ESD can be achieved more readily and more efficiently if there is a move away from ad hoc planning, then the question must be asked why any management agency charged with the responsibility of protecting the environment would not wish to pursue the establishment of a more rigorous and transparent planning process.

Attachment 1: Extract from QCFO Environment Policy

Following is an abridged version of QCFO's environment policy as it relates to wetland and water quality issues.

The Queensland Commercial Fishermen's State Council (QCFSC) was established in 1976 to promote and develop Queensland's commercial fishing industry and to organise fishermen with a view to fostering, protecting and advancing their interests.

In 1987, in response to ongoing concerns that environmental degradation was threatening the long-term sustainability of the industry, QCFSC established a State Environment Committee (SEC).

The establishment of this committee was in a sense the initial realisation that the sustainability of the industry was more dependent on the maintenance of fish habitat than it was on the capacity for management techniques to facilitate the sustainable harvesting of target species.

The economic viability of continued commercial harvesting of fish resources is dependent on a properly functioning environment, as very little manipulation can be undertaken to enhance fish production. Consequently, it is the industry's belief that if the marine environment is destroyed so too is the future of the industry. Managing fish habitats is essential for sustaining commercial and recreational fisheries.

The State Environment committee operates within the following terms of reference:

- assess environmental issues from a local, regional and State-wide industry perspective;
- acquire and disseminate information regarding the marine environment and its management to members of the Queensland Commercial Fishermen's Organisation (QCFO);
- identify action required by QCFO to address environmental issues likely to impact on fisheries.

The primary aim of this policy document is to inform industry members, governments and the general community of the industry's views on the means of addressing major environmental issues facing the commercial fishing industry.

Policy formulation is an ongoing proactive process, and thereby modifications to this policy will be and are undertaken as required.

1.2 HABITAT

1.2.1 FISHERIES HABITAT

QCFO recognises the following fish habitats as being particularly sensitive: reefs, seagrasses, mangroves and saltmarshes. QCFO is concerned at the continuing loss and degradation of these habitats. Of particular concern is the cumulative loss of habitats arising from many small, seemingly insignificant decisions i.e. the tyranny of small decisions as referred to in the 'Injured Coastline' Report.

QCFO recognises the pivotal role estuaries play in the maintenance of commercial fish populations and is concerned with the degraded state of many estuaries. Accordingly, QCFO believes there is a strong need for estuary rehabilitation and improved estuary management.

QCFO is also concerned with the impoverished state of inland river systems and believes there is a need to rehabilitate habitats within these rivers.

QCFO wishes to see mechanisms put into place that identifies and maps fish habitats, fully protects critical habitats from dredging, reclamation and pollution, adopts the principle of 'no net loss' when unavoidable loss is to take place and provides for the restoration of habitats damaged by illegal activities or failed development.

QCFO believes that moves should be made to identify areas of lost habitat with a view to restoring these areas.

QCFO recognises that in some parts of the country habitat loss has been significantly great as to create the need for a major government rehabilitation program.

QCFO believes the most extensive habitat problems result from:

- agricultural and grazing practices (e.g. ponded pastures sedimentation and nutrient overloading);
- floodplain management (e.g. acid soils, flood mitigation, flow regulations – weirs and dams);
- industrial and urban development.

1.2.2 POLLUTION / WATER QUALITY

QCFO is concerned that where fish stocks are in decline or contaminated as a result of pollution this has been wrongly attributed to commercial over-fishing. QCFO firmly believes that these problems should be addressed at their source and not directed at commercial fishing effort.

QCFO is concerned about water pollution due to the potential for habitat loss, toxicity to aquatic life and the contamination of seafood products. QCFO supports moves to clean production in manufacturing and processing industries and also supports initiatives for closed looping in such industries.

QCFO believes that greater attention needs to be paid to non-point source pollution such as urban and agricultural run-off, and its impact on aquatic ecosystems. Mechanisms for controlling such run-off need to be devised and implemented as soon as possible.

QCFO believes that control of water quality is best achieved by a judicious mix of tight discharge standards and water quality criteria. QCFO accepts that national criteria are desirable, however, regard must be given to naturally occurring background levels of various substances.

QCFO is totally opposed to the disposal of substances into the aquatic environment which are non-biodegradable or may accumulate in aquatic organisms.

QCFO is concerned over the use of maximum residue limits (MRLs) and maximum permitted concentrations (MRCs) for environmental monitoring purposes and believes residue limits that identify and trigger control action before a public risk is created are needed as a matter of urgency.

Funding for the monitoring of residues in seafood products should be the responsibility of those parties who produce and sell the substances involved.

QCFO supports continued research into alternative treatment and disposal options for sewage. Further, QCFO is opposed to the discharge of industrial waste into sewerage systems.

1.3 MANAGEMENT

QCFO actively supports the guiding principles of Ecologically Sustainable Development (ESD). Accordingly, QCFO believes that decision-making processes employed in resource management should effectively integrate both long- and short-term economic, environmental, social and equity consideration.

1.3.3 LAND USE PLANNING AND MANAGEMENT

QCFO recognises that the health of waterways and the nearshore zone is closely dependent on the activities undertaken in river and groundwater catchments.

QCFO believes that good land use planning is imperative to ensure that fish habitats and water quality are maintained e.g. buffer zones.

Accordingly, QCFO believes that proposals to rezone the use of land which have the potential to affect aquatic systems should be subject to the EIA process.

QCFO believes that total integrated catchment management is essential for ensuring the integrity of fish habitats and the maintenance of water quality and therefore, supports the active participation of fisheries agencies/industry in total integrated catchment management.

For a copy of QCFO's Environment Policy, please contact:

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