

8th September, 2008

Senator McEwen, Chair

Senate Standing Committee on Environment, Communications and the Arts

by email to eca.sen@aph.gov.au

Dear Senator McEwen,

Please accept this submission to the inquiry into the Great Barrier Reef Marine Park and Other Legislation Amendment Bill 2008.

I am a recreational fisherman with a three children living in an area which allows frequent exposure to the Great Barrier Reef and associated park. Although currently residing in the Gladstone area, I quite often travel the 6 hour road trip to my home town in the Whitsundays. For the last thirty years my family and I have enjoyed fishing the islands in this area and the GBRMPA zonings have adversely affected where we can fish. It is not only the green zones, which make large areas off limits, but a large proportion of the remaining areas are zoned yellow.

I would like to draw on a personal experience to highlight some of the failings of the current and proposed legislation.

Since the implementation of zonings in the marine park, and associated legislation was introduced, there has been periods of time in which I unable to holiday in the area due to work commitments. On returning to the area on one particular occasion, myself and my son had limited time to get out “into the blue” and decided to throw a line in an area that I had always thought was a “safe area” to fish. We had spent an hour on the “bommie” and returned home without a bite. A week later, when perusing the updated zoning maps, I was alarmed to notice that we may of actually broken the law, and with the proposed legislation, could of exposed myself and family to the risk of officers boarding my boat, “frisking” me and then facing all the consequences of a criminal conviction (as per current legislation). Do we deserve to potentially be subjected to this sort treatment – considering what we may have done?

I am not a particularly fanatical or effective fisherman, but enjoy time out in a beautiful area with my family. I see myself as a conservationist and law abiding citizen and try to instil those values onto my children. Inadvertently fishing in a green zone is not difficult to do. There are no signposts or markers around the islands or reefs. Bear in mind that to navigate in these areas it is virtually impossible to skirt around the green zones.

The inclusion in the definitions of fishing that ‘engaging in any other activities that can reasonably be expected to result in the locating of, or taking of, fish’ is ludicrous. As with other fisherman, my depth sounder is a fish finder. That’s what they do. So does this mean that if I’m traversing a green zone with my sounder on that I’m breaking the law? I have a combination sounder/GPS. You can’t turn on one without

the other. How can you be expected to navigate reef waters, so that you don't fish in a green zone, without a sounder/GPS?

I will not endure the reader of this submission to what I see are the many other flaws of the current and proposed legislation, eg. Unfair criminal convictions, powers to inspect, definition of fishing, precautionary principles etc.

I will however remind Senators such as Senator Stephens that they have a responsibility to properly represent all the people of Australia and ensure legislation is fair and equitable for ALL Australians. I cannot help but think, again, that this process is no more than a vehicle for more political grandstanding. Remember, we fish, we vote.

GBRMPA have no right or mandate to lock ordinary citizens out of our marine park. The goal as it is should stay – we need shared responsible use.

I look forward to being able to continue to access and enjoy this remarkable area, and share many more memorable experiences with my family and friends. I would only be too happy to provide further assistance if required.

Regards,

Warren van Dalen