

7 Petrie Way
Idalia QLD 4811

5th 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 resident of North Queensland with two teenage daughters and a small boat. We love spending time on the water and my oldest daughter has boat licence. A perfect day is a couple of hours fishing followed by a run to a beach for a swim. Boats and beaches have featured throughout my life. These laws do not have a big impact on those that own big boats but they severely limit average people with small boats.

Initially I welcomed the concept of marine parks. I truly believe we have a duty to our descendants to care for the environment. The process and results have left me disillusioned as it is blatantly anti-fishing rather than balanced conservation. I base this comment on the process for selecting areas, the lack of genuine scientific research supporting decisions and the draconian punishments for amateurs. Not really surprising when it is all based on the "precautionary principle", use that to guide your life and you wouldn't leave the house lest a meteorite hit you.

The process for selecting the areas was based on where people fished. Off Townsville the initial classification maps indicated the area between the mainland and the reef was classified as barren and of no value/interest. After feedback from locals it suddenly became valuable and green, because we stupidly admitted to fishing there. Protests had the green areas reduced in size. The people who are aware of the reef are its users, take them away and we know nothing.

Part of the justification for the green zones was increasing tourism. If anybody bothered perusing the research from America's marine parks, tourism does the most direct damage. They have examples of opening parks to fishing and reducing tourist numbers. Interestingly the reef trip operator here successfully applied to shift their pontoon because the area around their location had become degraded.

CRC research re sources of pollution on the reef found that at least 97% of reef pollution originates from commercial shipping and land runoff (urban and rural). So, according to the facts restricting amateur fishing cannot change the pollution on the reef by more than 3%. Very inconvenient research, never mentioned by the marine park authority.

Finally, if we want to learn from history rather than repeat it, we need to recognise that conservation involves management not exclusion. Conservation, both terrestrial and marine, is best achieved via participation and support of locals with a vested interest in

maintaining the environment. Green zones backed by draconian laws become exclusion zones.

Re the criminal convictions. Blind Freddy can see they are manifestly unfair. If our governing body can't recognise that and fix it they are not capable of assuming the responsibility of governing. Clearing tracts of land illegally only results in a fine. I guess it is only a few voters a long way from Sydney, Melbourne and Canberra – but if the Labor Party won't stick up for the little guy who will?

Re the definition of fishing and powers to inspect. One of our favourite beaches is a green zone. Consider my daughter driving the boat in after fishing elsewhere, and the sounder is on. She can then be traumatized, harassed and fined. All of my interactions with fisheries inspectors to date have been pleasant and friendly, so it shouldn't be a problem. But power corrupts, and if the wrong person, or the right person on a bad day, becomes an inspector these definitions and powers would legalise bullying. Imagine an inspector copping a speeding ticket and then bumping into that officer on the water. Again, the Labor Party should be protecting our rights.

Re Legal Defence. As Senator Stephens points out, this act will take away the basic legal rights of defence. It says if you are in green zone you know the boundaries – have you ever been out of sight of land on the water? Are you aware of the inaccuracies possible even when using a GPS (GBRMPA weren't and someone escaped conviction, so is this the catchall to excuse incompetence)? Accurate boundary knowledge is acceptable if everyone is on a large cruiser with radar and GPS, but for someone in a small tinny? Let alone the fact that a basic right is being taken away.

Re 3 strikes and you are out. Does somebody down there really hate those who like to fish? Or is someone infatuated with the good old US of A (baseball and getting tough on crime)? What would the public's reaction be if a law was introduced to permanently ban someone from driving after their third car accident, regardless of severity? Agreed that serial offenders should be discouraged, but we should not lose a sense of perspective. This is over the top and should be recognised as such.

Re the Precautionary Principle. In addition to what I said above, this can be used to justify any decision. Even the decision to ignore research and facts. If we accept that global warming will destroy the reef, logically applying the precautionary principle supports stripping the reef of resources now as a precaution for when there are none (a storm is coming, shouldn't we gather in the fruit now). It is not theatre of the absurd, it is the precautionary principle.

We have to accept that anything we do will have an impact, even doing nothing. The reef is effected by urban communities, natural predation (eg crown of thorns) and environmental changes. Cores from corals show it is a dynamic system with variations over hundreds of years and now our coastal communities have added another variable. Balanced consensus, with logical and open reasoning is better than the “we felt like making that rule” possible under the precautionary principle. It is a bad thing to support decisions made on a whim.

Re The goals. Conservation is seen to be leaving things as they are. It does not seem to recognise that all things change. Mankind's impact on our environment cannot be reversed and needs to be managed. The latter is reflected in the current goal and so that goal must be retained.

Conservation, of the blind no touch type, can lead to overpopulation and starvation/culling (deer in the USA, elephants in Africa, even Koalas are under discussion). Combine a conservation goal with the precautionary principle and the only person I'd trust in charge would be Nelson Mandela.

I live in a rural area because I enjoy the outdoors. I do not get subsidised theatre and the arts with all the trappings of a big city (taking the kids to the state art gallery isn't cheap). For someone thousands of kilometers away to tell me I can't go boating, "just in case" is unacceptable. If our senators can't see that they need to get out more. Remember that ostriches are said to bury their heads in the sand to avoid reality, and decision makers can bury their heads in the precautionary principle for the same reason. Show some gumption and treat these changes with the contempt they deserve.

Yours sincerely

Alan Hall B Sc (UQ), Dip Ed, Grad Dip Acc, RFD
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