Date Introduced: 2 November 1983
House: House of Representatives
Presented by: Hon. Barry Cohen, M.P., Minister for Home Affairs and Environment

Short Digest of Bill

Purpose

To enable the Great Barrier Reef Marine Park to give effect to principles for the day to day management of the Great Barrier Reef Marine Park agreed to by the Commonwealth and Queensland Government, to allow the Authority to receive and disburse funds appropriated by the Commonwealth and Queensland Government for capital and recurrent costs pertaining to management of the Marine Park and to those costs for management of areas outside the Marine Park which relate to the Marine Park.

It specifies the maximum time within which the Minister must lay a zoning plan before both Houses of Parliament once it is accepted. It reduces the length of time during which Parliament can move for the disallowance of the zoning plan.

Background

The Commonwealth passed the Great Barrier Reef Marine Park Act in June 1975 to allow for the establishment and management of a Marine Park within an area defined as the Great Barrier Reef Region. The Great Barrier Reef Marine Park Authority (GBRMPA) was established under this Act to make recommendations to the Minister on what areas should be declared Marine Park and what regulations should be made concerning such areas, prepare zoning plans for new sections of the Marine Park and commission or carry out research relevant to the Marine Park.

Mining and oil drilling are the only activities prohibited in the Marine Park. The GBRMPA prepares zoning plans for new sections of the Marine Park. Each zone in the Marine Park allows for a different set of activities to be carried out to ensure the conservation of the reef. For example, General Use "A" Zone provides opportunities for reasonable use including commercial shipping and trawl fishing while Scientific Research Zone provides an area...
where approved research can be carried out protected from the influences of recreational activities, fishing and collecting. If accepted by the minister the zoning plan is laid before both Houses of Parliament for 20 sitting days during which disallowance motions can be passed. If at the end of the period no such resolution is passed the zoning plan comes into operation on a date specified in a notice published by the Minister.

The Capricornia section, the first section of the Great Barrier Reef Marine Park, was declared in October 1979. In October and November 1980 the Cormorant Pass and Cairns sections were declared. The Far North section and the offshore portion of the Central and Southern sections were declared in August 1983. The Townsville and inshore Southern sections were declared in October 1983. A zoning plan is in force for the Capricornia section and one lies before Parliament for the Cairns section.

The Great Barrier Reef Region was placed on the register of the National Estate in June 1980 and the Region, plus Queensland Islands above low water mark, were placed on the World Heritage List in October 1983.

In June 1979 the Commonwealth and Queensland Government agreed on the establishment of a Ministerial Council of Commonwealth and Queensland Ministers to consider recommendations for declaration of sections of the Marine Park, for developing zoning plans and management plans and arranging for research and investigations relevant to the Marine Park.

The Ministerial Council has met seven times and has endorsed agreed principles relating to day to day management of the Marine Park.

The Agreed Principles provide for:

- Queensland National Parks and Wildlife Service to carry out day to day management of the Marine Park subject to GBRMPA.
- The Commonwealth to pay for the initial Capital Works required to establish management of the Marine Park while all other capital and recurrent costs are to be shared equally by the Commonwealth and Queensland Governments.
- Commonwealth and Queensland to pay equal shares of recurrent costs for management of Queensland National and Marine Parks within...
the boundaries of the Great Barrier Reef Marine Park.

- Queensland to fund the entire cost of capital works required for the management of Queensland National and Marine Parks.

- The Great Barrier Reef Marine Park Authority to administer funds provided by the Commonwealth and Queensland for capital and recurrent costs in the Marine Park and recurrent costs in Queensland Marine and National Parks within the boundaries of the Marine Park.

- Expenditure programs to be developed by Queensland in consultation with GBRMPA and approved by GBRMPA for submission to the Commonwealth and Queensland Governments for consideration in their Budget contexts.

It is intended that these principles will be included in a legal agreement to be signed by the Commonwealth and Queensland.

In order to implement these agreed principles the Act must be amended to allow the GBRMPA to accept and disburse funds and advise on agreements. The Council agreed to a complimentary management regime in areas of Queensland adjacent to or which are likely to affect the Marine Park (e.g. Queensland National and Marine Parks).

Main Provisions

Section 7 of the Principal Act which defines the function of the GBRMPA is amended. Section 7.1(ca) allows the Authority to provide information and advice to the Minister concerning any agreement or proposed agreement between the Commonwealth and Queensland, whether financial assistance should be paid from the Commonwealth to Queensland and whether payment should be made from Queensland to the Authority for matters relating to the Marine Park. Sections 7.1(cb) and 7.1(cc) allow the Authority to receive and disburse money from the Commonwealth to Queensland for matters relating to the Marine Park and from Queensland to the Authority under terms of an agreement.

Section 7.1.A states that a matter shall also be taken to relate to the Marine Park if it relates to areas, such as Queensland Marine or National Parks, within or
outside the boundaries of the Marine Park; the use or management of which would or might affect the Marine Park.

Amendment to Section 33(1) obliges the Minister to lay a zoning plan before both Houses of Parliament within 15 sitting days of his accepting it instead of "as soon as practicable". Sections 33(2) and 33(3) reduce the period a zoning plan must lay before Parliament from 20 to 15 sitting days, during which time resolutions disallowing the zoning may be passed.

New Sections 54A and 54B ensure that moneys, appropriated by the Commonwealth for financial assistance to Queensland, are paid by the Authority to Queensland, and that the Authority expends moneys received from Queensland according to the terms and purposes under an agreement between the Commonwealth and/or the Authority and Queensland.

For further information, if required, contact:

Science, Technology and Environment Group

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LEGISLATIVE RESEARCH SERVICE